Qanoon e Shariat

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Beliefs

Beliefs Relating To Allah's Self And His Characteristics (Allah Ta'ala's Monotheism [Oneness] And His Qualities)
Allah is one. He is Pure, He is Unique, he is free from faults. He is the total of all qualities and excellence. No one in any thing is equal to him or is level with him or higher than him. In his qualities of characteristics he has always existed and will always remain. Eternity is only for his self and his characteristics. Except Him, whatever exists hasn't been there always, but in fact has been created by Him. He is from Himself meaning no-one has created Him. He is not a father of anyone, nor a son, nor does he have a wife nor any relations. He is self sufficient from all this. He is not dependant of anyone on any matter and all are dependant of Him. To give wealth, to kill, to give life are all in his control. He is the master of all, He does whatever He wishes. Nobody can challenge His order. Without His will a grain does not move. He is aware of all things hidden, shown, what has happened and what is going to happen, there is not the slightest thing that is outside His knowledge. The world, the universe, every single creation in existence has been created by Him. Everyone is His servant. He is more beneficent towards His servants than a person's parents. He is the one who forgives sins and accepts one's repentance. His hold is so strong that no one can escape without His willingness. To give one respect or disrespect is in His control. Whoever He wishes He will give them respect, whoever He wishes he will give them disrespect. Possession and fortune are in His control, whoever He wishes He will make rich, whoever He wishes He will make them poor.

Guidance and Mis-guidance is from Allah

Guidance or to go astray is given by Him. Whoever He wishes will have faith, whoever He wishes will gain infidelity. There is always a reason in His actions. There is always Justice in His actions. He will award Paradise to Muslims and give punishment in Hell to Infidels. Whether a servant understands or does not understand there is always a reason behind His actions. His gifts are a favour upon everyone and are countless. He is the only one who deserves worshipping, except Him no-one is worthy of worship.

Allah's existence

Allah Ta'ala is Pure from body and parts. Meaning he is not a body nor are any things connected to Him that you would find in a body, in fact this is impossible to Him. He is pure from place or boundary, direction, face, weight, breadth, gain, loss, joint with something, to mix in something, to be born to give birth, to move from one place to another place, to change in shape or size, or any other thing which may relate to a body. In the Holy Quran and the Hadith Sharif where many words that have been used to explain Allah, for example 'Yadd meaning hand','Wajh meaning face', 'Rijl meaning leg','Dihac meaning to smile' etc. which according to the dictionary relates to the body, to take this type of meanings is to go astray or one who has bad beliefs (because Allah does not have a body). These types of words are interpreted according to the dignity of Allah, because to take these word literally is impossible for Allah. For example Yadd's interpretation is Power and Wajh is interpreted as self and 'Istiw'a' is interpreted as to power over someone. However, it is better that one should not even consider interpretation without cause. In fact one should believe it as correct and leave the meaning to Allah, i.e. He knows better. Our faith is on the quote of Allah and is beloved

Prophet. 'Istiw'a is correct, Yadd is correct but this Istiw'a is not like the Istiw'a of a creation. His Yadd is not like the Yadd of a creation. His speech, His sight, His hearing is not like the speech, sight, hearing of a creation.

Allah's Self and His characteristics are not from creation or from power.

- Belief: Except for Allah's Self and His characteristics every thing is created meaning it did not exist but was created after.
- Belief: To call the characteristics of Allah a creation is to go astray and a bad belief.
- Belief: Whoever has the belief that except for Allah's self or characteristics something else is 'Kadeem' (meaning always been in existence) or believes that the world is not a creation but has always been in existence then they are a Kafir (Infidel).
- Belief: Just in the same way that Allah Ta'ala is the creator of the universe and all it's belongings, He is also the creator of our actions and doings.

Allah Ta'ala's presence

- Allah is WajibulWajood meaning that his presence is necessary and disappearance impossible.
- Belief: There is nothing that is outside the knowledge of Allah. Whether it is present or not. Whether it is possible or impossible. Whether it is specific or global. He has been aware of everything, is aware of everything, and will always be aware of everything for infinity. Things change but his knowledge does not change. He is fully aware of our intention and what is in our heart. His knowledge has no end.
- Belief: Without Allah's intention nothing can happen, however, he is happy when something good occurs and upset when something bad occurs.
- Belief: Allah has the power of all possible things. No possible thing is out of his power. Things which are impossible for Allah are not under his power. To believe power over the impossible for Allah is to reject Allah.
- Belief: Good and bad, Infidelity and faith, to obey and defy is all created by Allah.
- Belief: In real terms Allah is the deliverer of wealth. Angels are servants and interceders.
- Belief: There is nothing necessary for Allah, not to give reward or to pass on punishment or to favour upon, because he is the master without any restriction whatsoever. Whatever He wishes he can do, whatever He wishes he can order. If He rewards then it is his virtue, if He punishes then it is his fair judgment. Yes it is His graciousness that He will only order what a servant can do. He will of course give with His virtue paradise for Muslims and He will give from His judgement Hell to non-Muslims, because He has promised that except for Infidelity whatever Sin He wishes He will forgive and His promises or threats do not change. This is why punishment and reward will definitely occur.
- Belief: Allah is care free from the world. He does not gain any benefit or loss from it. Nor can it give Him benefit or loss. Whatever He does, there is no personal benefit or gain to Him. From creating the world there is no personal benefit to Him and if He had not created it there would have been no personal loss to Him. To show His virtue, judgement and qualities He created the creatures.
- Belief: In everything that Allah does there are a lot of reasons behind it whether we understand them or not. It is his reasoning that He has made one thing to be a cause for another thing. He made Fire to be the cause of heat. He made water to be the cause to cool something. He made the eye so that one could see, He made the ear so that one could hear. If he wished He could have made fire to cool, water to heat, eye to hear, ear to see.

- Belief: For Allah all faults and mistakes are impossible. Like to lie, illiteracy. mistake, cruelty, to be shameless, all sorts of faults are impossible for Allah. If someone believes that Allah can lie but does not lie, they are therefore believing that Allah has the power to make a mistake or fault but does not do so. Then it does not stop there one would have to believe that Allah can perform any sort of fault but does not do so, like to steal, perform adultery, be cruel, to give birth etc. etc. "Ta'ala Allaho An Zaalika Ulwan Kabeera" Allah is pure from all them sort of things. To believe Allah can perform faults but does not do so is to believe faults in Allah and therefore rejecting Allah as a Lord. May Allah protect us against having these sorts of belief.

DESTINY

Within the knowledge of Allah there is, what was going to happen in the world and whatever servants were going to do, Allah found this out from the beginning and wrote it down. He wrote goodness in some people's fate and wrote badness in another person's fate. He did not make the person helpless by writing this down, but wrote down what the servant was going to do. If he wrote badness in a person's fate then this is because the person was going to perform badness and if he wrote goodness in a person's fate then this is because the person was going to perform goodness. Allah's knowledge or due to Allah writing this down did not make a person helpless.
Rule: It is forbidden to discuss or debate the subject of destiny, a person should only think that they are not helpless like stones and therefore cannot do anything according to their will, but actually Allah has given humans the power to do as they please and the reward and sin is based upon this power of will. To believe yourself as totally without will or totally helpless is a misguided belief. After performing bad deeds you should not say that this happened because it was Allah's will and therefore it was in my destiny, but all good things are done with the pleasure of Allah and all bad deeds are done with the pleasure of one's desires.

PROPHETS AND MESSENGERS

Just as it is necessary to know Allah's self. characteristics, and attributes, it is also as important to know what aspects should be present in a Prophet and what should not be, so that a person can be protected from infidelity.

Meaning of a Messenger (Rasool)

Messenger means He who brings the message from the Lord to the servants.

Who is a Prophet

A Prophet is the person who received the 'Wahi' (revelation) meaning a message from Allah for the guidance of mankind to show people the path to the lord. Whether this message came via angels to the Prophet or whether the knowledge was given direct to the Prophet from the lord. Many Prophets and many angels are Messengers (Rasools). All Prophets were male, nor has a Jinn ever been a Prophet nor has there been a female Prophet. One cannot be a Prophet due to worship or perseverance, but become a Prophet due to Allah's will, and therefore a person's effort does not make them favourable. Hence, Allah makes only them a Prophet who he deems fit and are born like so, and always stay away from sin even before becoming a Prophet and also are always attracted to good. There is never an aspect in a Prophet that people would hate.

Prophet's walking, conduct, looks, features, nobility and family.

A Prophet's walk, conduct, looks, features, nobility, family, ways, manner, talk and conversation are all good and free from faults. A prophet's intelligence is complete. A Prophet is the most clever out of all people. The highest qualified doctor or philosopher's intelligence does not reach even a millionth part of the Prophet's intelligence. Those who believe that they can become Prophet due to their effort are infidels (Kafir) and those who believe that a Prophet's prophecy can be taken away from them are also infidels.

Who is Ma'soom (immune from Sin)

A Prophet or an Angel are Ma'soom,meaning they are completely immune from sin and therefore cannot commit a sin. Except for Prophets or Angels if one believes that an Imam or a Wali are also Ma'soom then they are misguided and have deviated from the right sect. Although there are Imams and great Walis who also do not commit sin. however, if sometimes they do commit a sin then according to Shariat this is not impossible. To pass the message of Allah, a Prophet can never make a mistake as this is impossible.

Associating a Prophet with fear: Those who say that the message of Allah is sometimes not passed on by a Prophet due to the fear of people or some other reason, is an infidel. Prophets are better than all creations. In fact they are better than those Angels who are Rasools.

To believe a Wali to be better than a Prophet

Regardless of how high a rank of a Wali is, they can never be equal to a Prophet. Those who show a non-Prophet better than a Prophet are Infidels.

Belief. From Hazrat Adam Alaihi Salaam to our beloved Prophet Hazrat Muhammad Sallallaho Alaihi Wasallam there has come many Prophets, Hazrat Nooh (Noah), Hazrat Ibrahim (Abraham), Hazrat Moosa (Moses), Hazrat Eisa (Jesus) and also thousands of others. The above four were Messengers and also Prophets. The last of all Prophets and Messengers and the most virtuous of all creations, is Allah's most beloved our Master Hazrat Ahmad Mujtaba Muhammad Mustapha Salallaho Alaihi Wa Aalihi Wasaliam. After the beloved Prophet there has never been another Prophet nor will there be another Prophet. Whoever believes that there will be a Prophet or has been a Prophet during our Prophet's era or after or actually believes it as a possibility of someone obtaining Prophecy is a Kafir/Infidel.

Our Prophet's unique virtues and excellence

Allah Ta'ala created from his light our beloved Prophet, before any other thing. Prophets, Angels, Earth, Skies, Heavens etc. have all been created from the ray of the Holy Prophet's light (Noor). Except for Allah or being equal to Allah, our beloved Prophet has been given whatever qualities there are, and whatever excellence exists, by Allah Ta'ala. In the whole universe there cannot be anything or anyone with the same or greater quality than our beloved Prophet. Huzoor is the most virtuous creation and a delegate of Allah Ta'ala. Huzoor is the Prophet of all the other Prophets and it is a necessity for everyone to follow the Prophet. Allah Ta'ala has gifted Huzoor with the keys of all Allah's

treasures, All the world and religious gifts are provided and created by Allah and shared and given out by our beloved Prophet. Allah Ta'ala gave our Prophet the unique gift of Me'raj, meaning called him above the skies (Ursh) and showed him his vision with the Prophet's own eyes. The Prophet listened to Allah's voice and was given a tour of Jannat (paradise), Dozakh (hell), Ursh (above the skies) and Kursi (throne). All this happened in a short period at night. On the day of judgement our Prophet will be the first to perform intercession, meaning he will intercede for people in the court of Allah. He will raise the grades. There are many other qualities, to much to mention in this short section.

Belief. To treat something relating to the Prophet as low

If someone treated any of the Holy Prophet's quotations or actions or deeds or situations as not worthy or looked upon them with degrading value then they are a Kafir. [QaziKhan, Shifa Kaazi Ayaaz etc]

Maujiza - miracles performed by Prophets

Difference between Maujizaa and Karamat

The untoward action which is impossible to perform, and a Prophet performs it to prove their prophecy and astonishes Infidels is known as a 'Maujizaa'. For example to bring back to life the dead, with the movement of the finger to split the moon into two. If these types of actions are performed by a Wali (friend of Allah) then it is known as a Karaamat. If they are performed by an ordinary person or wrongdoer or a Kafir then it is known as 'Istidraj'.

When seeing a Maujizaa the truth of a Prophet is accepted, because if this sort of power has been given to them to which they .can perform miracles, astonish people and make them helpless then they are truly a Messenger and a Prophet of Allah, as false liars who claim to be a Prophet cannot perform these types of miracles. Allah Ta'ala never gives the false claimants of Prophet-hood the power to perform Maujizaas, otherwise one would not be able to distinguish the difference between the true Prophets and false claimants.

Important Rule: The Prophet's mistakes

The mistakes that have been committed by the Prophets, to talk about them except for when praying about them in the Holy Quran and Hadith is Haram, meaning forbidden and strictly forbidden. How can others actually use their tongues against these kings, for Allah is the Ruler of alt. However he wishes to build a palace He can do so, meaning the Prophets are the Lord's beloved creations whatever way they want to present themselves to Allah, others cannot use them as their certificates to call them by. Meaning when a Prophet made a mistake the words used by Allah to call them Prophets or whatever the Prophets named themselves in the state of servant-hood, no follower has the right to use them phrases in relation to the Prophets, as this is completely not allowed and strictly forbidden.

BOOKS OF ALLAH TA'ALA

Allah Ta'ala revealed to his Messengers his statement and message. Tauret was revealed to Hazrat Moosa, Zuboor was revealed to Hazrat Da'ood, Injeel was revealed to Hazrat Eisa and many other books were revealed to many other Prophets. The followers of these Prophets altered these books, added or extracted statements and therefore changed the orders of Allah. Then Allah Ta'ala revealed to our Master, Muhammad Salallaho Alaihi Wasallam the Holy Quran. The Quran is such a unique book that no one can make another like it, whether the whole world tried together to make one, they

couldn't. The Quran is complete with all the knowledge and every aspect is enlightened. It is the same now, fourteen hundred years later as it was when it was revealed, and will always remain the same. If the whole world wished, even then there would not a be a slightest letter difference to it. Those who say that someone has altered or increased or decreased it or the true Quran is kept by the Imam of the unseen, then they are a Kafir. This is the true Quran. It is necessary for all to bring faith on this Quran. There will now, not come a new Prophet nor a new book, those who believe against this are not Muslims.

MALAIK - ANGELS

Angels are creations of light. They have been given the strength by Allah Ta'ala to turn into whatever shape or form they wish, whether it be of a Human or another creation. Angels never do anything against the order of Allah, nor purposely or by mistake, because they are Ma'soom. They are pure from all types of sins small or large. Allah Ta'ala has given many types of duties, some angels have a fixed duty of taking out the soul, some to give rain, some have been given the task to create the face of a child in the mother's womb, some to write the deeds of an individual, some to do a particular type of duty, others to do another type of duty etc. Angels are not male or female. To believe them as 'Kadeem' (always have been in existence or always will be in existence) or to believe them as the creators is Kufr/infidelity. The slightest form of insult for an Angel is also infidelity [Aiamgiri etc]. Some people call their enemies or oppressors as 'the angel of death', to say such things is not allowed and close to infidelity. To reject the existence of Angels or to say that the strength of all good is known as Angels and there are no such things are both acts of Kufr.

THE JINN

Jinn are created from fire. Out of these many have been given the strength to change in whatever form they wish. Wicked, evil Jinn are known as Shaitaan. They are like humans, .they are intelligent, have a soul and a body. They eat, drink, live, die and have children. Within them there are infidels, Muslims, Sunni, bad-sects and every type. There are more of bad Jinn in quantity as per humans. To say that there is no such thing as Jinn or the Jinn is the bad in you are acts of Kufr/infidelity.

DEATH AND THE GRAVE

Every single person's age is fixed. It cannot increase from it's fixed time nor can it decrease. When the time of life is finishing, Hazrat Izraeel Alaihi Salaam comes to extract the dying person's soul, and the person dying looks to his left and right and sees Angels everywhere. The angels of mercy come to a Muslim and for the infidels the angels of punishment appear. At this time even the infidels believe the truth about Islam, but their faith is at this time is not counted. This is because faith is the name of believing the message of Allah and his beloved Messenger without seeing proof, and at this time one sees the angels and then believes and this is therefore not accepted as a Muslim. A Muslim's soul is taken out with ease and is then taken with respect by the angels of mercy. An infidel's soul is taken out with great pain and the angels of punishment take it with disgrace. After death the soul does not go into another body and is then reborn, but upto the day of judgement stays in the world of 'barzakh' meaning the interval between death and resurrection. To believe that the soul goes into another human body or an animal's body or into trees or plants etc. and is known as reincarnation is wrong and is Kufr.

What is death ?

When the soul comes out of the body, this is known as death. However, the soul does not disintegrate but remains in the world of 'barzakh'.

Where does the soul remain after death ?
According to faith and deeds performed, a different place is fixed for the soul to remain. Until the day of resurrection it stays in that place. Some stay underneath the 'Ursh' (above the skies), some remain at 'Aala eliyyeen' (the highest point), some remain at the well of Zam Zam, some remain in their grave. The souls of infidels are imprisoned. Some are imprisoned in the well of 'Barhoot', some in 'Sajeen' (the lowest point in Earth), some at their place of cremation or burial.

Does the soul die ?
In any situation the soul does not die or disintegrate but remains unchanged. Whatever it's position and whatever it's state is, it always remains connected to the body. If the body has pain it also feels the pain. If the body is relaxed, the soul is also relaxed. When someone visits the grave, it sees the person and recognises them and listens to what they are saying. In relation to the Muslim's soul it is stated in the Hadith Sharif that when a Muslim dies, it's path is opened and it can go wherever it pleases. Hazrat Shah Abdul Aziz writes that there is no such thing as near and far for a soul, but all places are equal.

The death of a soul and it's condition
Those who believe that the soul can die and disintegrate is a 'bud mazhab' meaning from a deviated sect. The dead also speaks. It's voice is heard by animals etc. except for normal humans and Jinn.

The tightening of the grave
After burial, the grave tightens up and presses the dead. It presses the Muslim like a mother holds a child. It presses the infidel to the extent of crushing them, like the left side bones end up on the right side. When the people leave after burial, the dead hears the footsteps.

What are Munkar Nakkeer like and what do they ask?

At that time two angels called 'Munkar and Nakeer' come ripping through the earth, their faces look very fearful and scary. Their body is black, eyes green and black and very large in size popping out like the Jinn's eyes and made of fire. Their hair is very scary and long from head to toe, their teeth are very long with which they rip through the earth. They wake up the dead shaking and rattling them. They ask with great strength with a deep voice these three questions;

"MAN RABBUKA" meaning 'Who is your lord'?
"MAA DEENUKA" meaning 'what is your religion' ?
"MAA KUNTA TAQUL FEE HAZAR RAJL" meaning 'What did you used to say about this person'?
If the dead is a Muslim he will reply as follows;

"RABBUNALLAH" my lord is Allah,
"DEENIL ISLAM" my religion is Islam,
"HUWA RASOOLULLAHE SALLALHO ALAIHI WASSALLAM" This is Allah's Messenger, He has been embraced with Allah's mercy, greeting to Him.

Now a voice from the skies will be heard saying "My servant has said the truth, lay the tablecloth of paradise for him, give him clothes from paradise to wear and open the doors of paradise (Jannat) for him. The cool air and the sweet fragrance of Jannat will continue to come and wherever the eyesight can reach the grave will be made wide and large. Angels will say "sleep like a groom sleeps". All this will be for the good pious

Muslims. For the sinful, their will be punishment according to their sins. This punishment will continue for a time then from the prayers of the pious or from 'Eesaal-e-Sawab' (good acts performed by people for the dead's forgiveness) or from prayers for their forgiveness or simply from the mercy of Allah this punishment will stop. Then there will be relaxation.

If the dead is an infidel/Kafir, then he will not be able to answer the questions and will say "HAA HAA LA ADRI" meaning 'shame for I know nothing'. Now a caller will shout "He is a liar, lay the table cloth of fire for him, and give him clothes of fire to wear and open the doors of hell (Dozakh) for him, from which the heat of hell will reach him . There will be two angels allocated to him to give him punishment and will hit him with great big hammers. He will also be bitten by big scorpions and snakes. All different kinds of punishment will continue until the day of resurrection.

Notice - who will not be asked questions in the grave

The Prophets will not be asked questions in the graves nor will their graves tighten. Many followers will also not be asked the questions, like those Muslims who die on Friday or in the month of Ramadan' The situation of relaxation and punishment in the grave is a fact. This punishment or reward is for both the body and the soul. Whether the body disintegrates or burns or mixes in the soil, it's original parts remains until the day of resurrection. It will have reward or punishment and on the day of judgement it will be reformed back to a body. These original parts are actually situated in the spine and cannot be seen by humans nor are they eaten by the soil and nor can they be burned. These are the seeds of the body and from theseAllah joins the rest of the parts of the body, which have been spread by either being turned into ashes or soil and are reformed into the original body. The soul then comes back into that body and is presented in the field of resurrection. This day is known as 'Hashr'. This also re-iterates the point that the souls go back to the same body that they belong to and by burning the body or by the body disintegrating it does not disappear but is recreated from it's original seeds, and therefore a whole new replacement body is not created but the original is recreated, and all the changes does not affect it. For example, when a child is born and then a person grows up becomes a teenager and then becomes a man, but after all these changes the person is the same, a new person does not appear. The person knows that ten years ago it was me and it is still me, all these changes haven't made a new person and every person understands this about themselves and about others.

Where a person has buried or has been left to rot, the questions will be asked there and the punishment will occur there. Like, if a tiger has eaten a person, the questions will be asked inside the tiger's stomach, and the punishment and reward will also happen there. A person who rejects the fact of the punishment and reward of the grave is a misguided person.

Who's body cannot be eaten by the soil
Rule: Prophets, Walis (friends of Allah), Martyrs, A Hafiz of the Quran who also acts upon the instructions of the Holy Quran, a person who has never committed a sin and those who pray the Durood Sharif at all times, their bodies are not eaten by the soill. Those who say that the Prophet's bodies "have died and eaten by the soil" is a misguided, from the wrong sect, evil and an insulting person.

THE COMING OF QAYAMAT (DESTRUCTION DAY) AND SOME SIGNS

One day all teh world, humans, animals, jinn, angels, earth, skies and whatever that is in them will be finished. Except for Allah there will be nothing left. This is known as the coming of 'Qayamat'. Before the coming of Qayamat. there will be some signs that will appear Out of which, we write some of them here.

Khasf meaning that there will be three places where the earth will open up and men will be buried alive. One in the west, one in the east and one in Arabia.

The knowledge of religion will go, meaning the Ulema (scholars of religion)will be taken away.

There will be a large exploitation of illiteracy.

There will be great use of alcohol and adultery. In such a shameful extent that it will be as common as donkeys eating grass.

There will be less male and more females. The ratio will be fifty women compared to one man.

There will be a lot of goods.

In Arabia there will be green scenery such as green crops parks and streams. The streams will open it's treasures and there will be mountains of gold.

Men will listen to their women and not their parents They will stay in close contact with their friends and stay away fromtheir parents

There will be great use of music.

People will curse their ancestors and speak ill of them.

The wrongdoers and non-capable will be made leaders.

Degraded people who could not find cheap clothing, will own large mansions.

People will scream and shout in mosques.

To stay in Islam will be so difficult as it is difficult to hold hot ash in the hand. Upto the extent that a person will go the cemetery and wish that they were in that grave.

There will be no quality in time. A year will be like a month. A month will be like a week. A week will be like a day A day will be like as if an item has caught fire and quickly turns into ash, meaning time will go very fast.

Savaqe animals will speak to humans. The point of a whip, the heel of a shoe will speak dialogue and will tell you what has happened in the home. In fact a person's thigh will inform him.

The sun will rise from the west. At this point, the doors of repentance will close. One can no longer bring faith into Islam.
Except for the big 'Dajjal' (impostor), there will be thirty other impostors who will all claim to be Prophets. Where in fact Prophecy has finished. There will be no other Prophet after our Prophet Hazrat Muhammad Mustapha Sallallaho Alaihi Sallam. Out of these impostors there have already been some, for example, Musslimiyya Kizzab, Taleeha Bin Khuwild, Asood Ansi,
Mirza Ali Muhammad Baab, Mirza Ali Hussain Baha'ullah, Mirza Gulam Ahmed Qadyani etc and those that are left will certainly come.

EXPOSING OF THE DAJJAL

The characteristics of Dajjal and his actions

Dajjal will have only one eye. He will claim to be the lord. On his head the letters K, F, R, (Kaaf, Feh, Reh) will be written, meaning Kafir (infidel), and this will be read by all Muslims, but it will not be seen by the infidels. He will travel very fast. In forty days he will travel all the world except 'Harmain Sharifain' (the two holy mosques in Makkah and Madinah). Within these forty days the first day will be the length of one year, the second day will be the length of one month, the third will be the length of one week and the rest will each be twenty four hours long. His mischief will be very demanding. He will have with him, one garden and one place of fire. He will call these Jannat and Dozakh and wherever he goes he will take them with him. His Jannat will really be fire and his Dozakh will really be a place for rest. He will order people to believe him as the lord. Whoever believes him as the lord he will put them into his Jannat. and whoever rejects him, he will throw them into his Dozakh. He will bring back to life the dead. He will make rainfall. He will order the earth and it will grow crops. He will go into areas of desolation. The treasures of these areas will be with him like bees are with flowers. He will show all kinds of miracles like these, which really will be nothing but magic and illusions. Really there will be nothing with him and that is why when he disappears everything will disappear with him and people with have nothing. When he will want to go to 'Harmain Sharifain' the angels will force his face to another direction. He will have a whole army of Jews with him.

DESCENDING FROM THE SKY OF HAZRAT EISA/JESUS

When Dajjal completes travelling the whole world and goes to Syria, Hazrat Eisa (Jesus) will descend from the sky and arrive in the Jamia Mosque in Damascus on the east minaret. The time will be morning. The Iqamat of Fajr Namaz will have been called. Hazrat Eisa Alaihis Salaam will order Hazrat Imam Mehdi (may Allah be pleased with him) to lead the congregation of Namaz i.e. be the Imam. Hazrat Imam Mehdi will perform the Namaz. The cursed Dajjal will start melting from the beautiful fragrance given from Hazrat Eisa's breath, just like salt starts melting with water. The fragrant smell of Hazrat Eisa's breath will reach as far as one's sight can see. Dajjal will run away. Hazrat Eisa will follow him and will stab him in the back with a spear. With this he will join hell. Then Hazrat Eisa Alaihi Salaam will break the cross. He will also slaughter the pig. All the Jewish and Christian children will bring faith upon him. At this time there will only be one religion and that will be Islam, and there will be only one sect and that will be Ahl-e-Sunnat. The children will play with snakes, both tigers and goats will eat on the same patch. Hazrat Eisa will marry and will have children. He will stay in this world for forty years and then pass away, He will be buried in the Holy Prophet's shrine next to the beloved Prophet.

HAZRAT IMAM MEHDI BECOMING APPARENT

Hazrat Imam Mehdi will be from the descendant of the Holy Prophet and a 'Hasani' Sayyed. He will be an Imam and a leader. Close to Qayamat when infidelity will spread to the whole world and the only place that Islam will be left will be 'Harmain Sharifain'. All the great Aulia (friends of Allah) and pious scholars will emigrate there. It will be the month of Ramadan and the pious will be performing Tawaf of the Holy Ka'aba and Hazrat Imam Mehdi will also be present there. The Aulia will recognise him. They will request his guidance and he will refuse them. A voice will come from the unseen "Haza Khalifatullaha Mehdi Fasma'oolahoo Wa Atee'a'oo" meaning 'This is Allah's Caliph Mehdi,

listen to him and obey his orders'. All the people will take oath from his hand and then Hazrat Imam Mehdi will take all the people and come to Syria.

YAJOOZ - MAJOOZ BECOMING APPARENT

This is actually a tribe and are from the children of Yafis Bin Nooh Alaihi Salaam and it's quantity is large. They used to cause destruction on earth. They used to come out in spring and used to eat every green thing. They used to take away every dry thing. They used to eat humans and also wild beasts, snakes, scorpions were all eaten. Hazrat Zulkarnain made a wall of iron and enclosed them in it. When after slaughtering Dajjal, Hazrat Eisa Alaihi Salaam takes all the Muslims to the mountain of 'KoheToor', then these Yajooz - Majooz will break the wall and come out. They will cause great destruction on earth. They cause rampage, looting, murder etc. Then with the prayer of Hazrat Eisa, Allah Ta'ala will finish them off.

DA'BATOL ARDH BECOMING APPARENT

This is an astonishing type of animal. It will come out from the mountain of Safa and will travel the whole world in great speed. It will speak clear, fluent Arabic. In it's hands, it will have the stick of Hazrat Moosa and the ring of Hazrat Suleman. With the stick it will stamp the foreheads of all Muslims with a shining mark, and with the ring it will stamp the foreheads of all infidels with a dark black mark. At this point all Muslims and infidels will be clearly identified and recognised. These signs will not change, whoever is an infidel will never be able to become a Muslim and whoever is a Muslim will never lose faith.

WHO WILL QAYAMAT BE FOR ?

After the passing away of Hazrat Eisa and when there will be only forty years to go for Qayamat. A cold wind will pass underneath everybody's armpits and it's effect will be that all the souls of Muslims will be extracted and only infidels will remain. Qayamat will come for these infidels. With all the signs that have been mentioned, some have become apparent and others are yet to become apparent.

When And How Will Qavamat Come ?

Qayamat will come when all the signs become apparent and the cold sweet wind has gone through everybody and all the Muslims have passed away. There will be only infidels remaining, and the remaining forty years where no-one will have children, i.e. everyone will be over the age of forty. There will be no one in the world who will say the word Allah anymore. Each and individual person will be doing their day to day duties. Someone will be building a wall, someone will be eating and then with the one and only order of Allah, Hazrat Israfeel Alaihi Salaam will blow the Soor (horn). The sound of the horn will first of all be very faint, then it will start getting sharper and sharper. People will listen to the sound with great concentration and then they will become unconscious and then die. Then the skies, the ground, the sea, the mountains and even the Soor and Hazrat Israfeel together with all the angels will be finished. At this time except for Allah alone, there wilt be no one left. After this when Allah wishes, he will bring back to life Hazrat Israfeel Alaihi Salaam and re-create the Soor, and order Hazrat Israfeel to blow it again. As soon as the Soor is blown all the people from the beginning to the end, all the angels, humans, jinn, animals will become alive again. People will start coming out of their graves and their Aamal- Naama meaning 'book of deeds' will given to them in their hands and will all start going to the field of Hashr. They will then stand and wait for their judgement and fate. The ground will be made of copper. The sun will be glowing in full strength and will be just above people's heads. With the extreme heat, people's brains will start boiling and their tongues will become as dry as thorns and many will drop out

of their mouths. People will sweat tremendously, some will sweat upto their ankles, some will sweat upto their knees and some will sweat upto their faces. Depending upon their deeds, they will suffer. The sweat will also be giving off a foul stench. There will be great delay just in this position. The day will be equivalent to fifty thousand years, and half of the time will go by in this situation. People will start looking for an intercessor who can relieve them of this problem and a quick decision can be made. All the people will take advice and go to Hazrat Adam Alaihi Salaam first. He will say go to Hazrat Nooh, who will say go to Hazrat Ibrahim. who will say go to Hazrat Moosa, who will send everybody to Hazrat Eisa. Hazrat Eisa will. send everybody to our Master Hazrat Muhammad Mustapha Sallallaho Alaihi Wasallam. When the people go to our Huzoor and request him to intercede, our beloved Prophet will say "I agree and am prepared to do this". He will then perform prostration in the holy court of Allah. Allah will say :0h Muhammad Alaihi Salaam, lift your head, say and it will be listened, ask and it will be given, and perform intercession and it will be accepted. Now the judgement and accounting will begin. The deeds will be weighed in the 'scales of deeds' called Meezan-e-Amal. Your own hands, feet and other parts will give witness against you. The part of the ground where a particular action took place will also be prepared to give witness against you. there will be no friends or helpers. A father will not help his son. nor will a son help his father. All the deeds will be unveiled. All the deeds that have been done will be in front of you. You will not be able to deny a sin nor will you be able to find a reward. In this very difficult and appalling situation, Huzoor the light, the love of Allah, Hazrat Muhammad Mustapha Sallallaho Alaihi Wassallam will help. He will perform intercession for his believers.

Different forms of intercession

The Holy Prophet's intercession will be in many different forms. Many people with the intercession of the Holy Prophet will go into Jannat (Paradise) without being judged. Many people who should have been in Dozakh (Hell) will be saved from going into Dozakh with the assistance of the Holy Prophet's intercession. Those sinful Muslims who will have reached Dozakh will come back out with the assistance of the intercession of the Holy Prophet. The Holy Prophet will perform intercession for the Jannatees and raise their grades.

Who else will perform intercession

Except for the Holy Prophet, the rest of the Prophets, the Sahhabis (companions of the Holy Prophet), the Ulema (Islamic scholars), the Walis (friends of Allah), the martyrs, the Huffaz-e-Quran (One who has learnt the Quran off by heart and follows it's orders) and the Hujjaz (those who have had their pilgrimage accepted by Allah) will all also perform intercession. People will remind their Ulema, deeds that are in connection with them, if someone gave water to an Alim to perform Wuzu (ablution) then he will remind them of it and ask for intercession in return, and they will then perform intercession for him.

This day of Qayamat which will be equivalent to fifty thousand years long and it's difficulties will be too much to withstand, but it will be made so light for the Prophets, Aulia and the pious, as the same time it takes to pray a Farz Namaz. For some it will be even less, equivalent to a blinker of the eyelid the whole day will finish. The biggest gift that Muslims will be given that day will be seeing Allah himself. You have been presented so far in short detail the details of Hashr, after this people will go to their forever destination or home. Some will have a home of rest, where there will be no limit of pleasure and happiness, and this is known as Jannat. Some people will go to the home of torture. Where there is no limit to torture and pain, and this is known as Dozakh or Jahannam. Jannat (paradise) and Dozakh (hell) are facts and those who reject it are Kafirs. Both Jannat and Dozakh have been made and are present at the moment, it is not so that they will be created after the day of resurrection. Qayamat (the day of

destruction), Hashr (the day of resurrection), Sawab (reward), Azaab (sin), Jannat (Paradise) and Dozakh (hell) are all true as they are believed by Muslims. Therefore, those who believe them as facts but have a different definition for them. for example, to say that reward means to be happy when seeing your good deeds, and sin means to be sad when seeing your bad deeds, and Hashr will be only for souls not the body etc. then this is really rejecting all the above and therefore are rejecters and those who are rejectors are Kafirs. Qayamat will definitely happen and those who reject this belief are also Kafirs. Hashr will be for both souls and bodies, those who say only the souls will wake up the body will not come back to life are also Kafirs/infidels. Whichever soul belonged to whichever body will be reconnected, it is not true that a new body will be created and the soul will be put into that. If all the parts of the body after death have

Something is missing here

MUQAM-E-MEHMOOD

Allah Ta'ala will give his beloved Prophet Muhammad Salallaho Alaihi Wasallam Muqam-e-Mehmood (Grade of praise). This is where the people from before and after him will praise him. (Will speak highly of him).

LIWA'UL HAMD

This is a flag which will be given to our master Hazrat Muhammad Salallaho Alaihi Wasallam. Under this all the Muslims from Hazrat Adam Alaihi Salaam to the day of Qayamat will gather, Prophets, Walis etc. etc.

JANNAT -PARADISE

Jannat is a very large and very beautiful place. It has been made by Allah Ta'ala for Muslims. It's walls have been made of bricks of gold and silver and it's cement is made of musk. The ground is made of saffron and ambergris (a wax like substance). Instead of stones there will be diamonds and pearls. To house the residents of Jannat, there are mansions and large conservatories made of pearls, diamonds and beautiful jewellery. Each level is as large in breadth as the sky to the ground. It's doors are so wide that a fast horse would have to run seventy years to get from one side to another. There will be so many gifts in Jannat that you would not dream or think about. There will be different types of fruits, milk. honey, wine (sweet smelling non alcoholic) and other nice types of food. Jannatees will be given clothes so beautiful that no-one in this world will have ever had fate to wear. For assistance, thousands of clean, pure servants will be available and for company, beautiful "Hoorehs" (princesses) whose beauty will be so much that if one actually looked towards this world the people just by looking at her beauty and shining face would become unconscious. As for health, you will never sleep, nor will you ever become ill nor will anyone ever have a worry or nor will you ever die. There will never be any sort of difficulties, in fact there will be every type of rest and ever desire will be fulfilled. The biggest gift of all will be to see Allah Ta'ala.

DOZAKH/JAHANNAM - HELL

This is also a place where there is complete darkness and strong black fire, which has no shine to it and this place has been made for the sinners and the infidels to live. The infidels will be imprisoned here forever. It's fire will continue to get hotter. The fire of hell is so strong that if a pinpoint of it was thrown into this world every single person would die from it's heat. If one of the guards of hell came to this world. people would ail die just by seeing his frightening face, no one would survive. The Jahannamees will be given many different types of punishment. Big snakes and scorpions will bite. People will have their heads crushed by big hammers. People will suffer from extreme hunger and

thirst. They will be given boiling hot oil type of water to drink and poisonous thorny fruits to eat. When they eat this fruit it will get stuck in the throat, and to wash it down they will ask for water and will be given the boiling hot water. When drinking this water all their insides will break and wash away. The thirst will be so extreme that when drinking this water the lips will crumble away. The infidels will become so helpless from this punishment that they will wish for death, but it will not come. They will ask for each others advice and go to the guard of hell 'Hazrat Malik', and ask him to tell the lord of their conclusion. Hazrat Malik will not reply to them for a thousand years. After a thousand years he will reply "what are you telling me for, tell him whom you have disobeyed". Then for a thousand years they will call Allah by his merciful names, and for a thousand years he will not reply. After a thousand years he will reply "stay away, remain in hell, do not talk to me". At this time the infidels will become completely hopeless of any kind of mercy and will start screaming and crying like a sound of donkeys. First they will cry with tears, then when the tears finish they will cry with tears of blood. From the effects of crying they will leave big gaping gaps in their cheeks. The amount of water and pus from crying will be so much that if boats were put into them they would start sailing. The face of Jahannamees will be so bad that if a Jahannamee was brought into this world, all the people would die by looking at his face and from the foul stench. Finally foi' infidels the situation will be that for every infidel a coffin will be prepared for them to the length of their height, and then they will be put into this coffin. The it will be set on fire and it will be locked with a padlock of fire. It will be then be put inside a larger coffin also made of fire and the gap between will be set on fire. A padlock with chains will also be put around it made of fire. It will then be put into another coffin and the then also set on fire and again will be locked with a lock of fire. All this will be then put into a bonfire. Then all infidels will think that they will never be able to withstand any other heat and this punishment is above all punishment, and there will always be punishment for them and will never finish. When all Jannatees reach Jannat and all Jahannamees that are in Jahannam are to remain there forever, reach Jahannam, then between Jannat and Dozakh 'death' will be brought in the shape of a ram. Then a caller will call the people of Jannat and they will look in worry thinking that maybe we might be ordered out of here. Then the caller will call the Jahannamees and they will come happily thinking we might be ordered out of this painful place. Then the caller will ask "Do you recognise this ?" Everyone will reply "Yes, this is death". Then the ram will be slaughtered and he will say "Oh those in Jannat, you are there forever and there will be no death, and you in Dozakh, you are there forever, there will be no death". At this point there will be happiness on top of happiness for the Jannatees and Sadness on too of sadness for the Jahannamees.

IMAAN AND KUFR - FAITH AND INFIDELITY

What is Imaan-Faith ?

Faith/lmaan is to listen to what Allah and his Messenger has stated and to believe it true in your heart.

What is Kufr/infidelity

If you reject one aspect which you know that to believe is part of Islam then this is Kufr. Like, to reject, Qayamat, Angels, Jannat, Dozakh, Hisab, or not to believe that Namaz, Roza, Zakat, Hajj is Farz (obligatory). It is also Kufr not to believe that the Holy Quran is the words of Allah. To insult the holy Ka'aba, the holy Quran, or any of the Prophets or Angels is also Kufr. To degrade any of the Sunnats (actions of the Holy Prophet), to make jokes of the orders of Shariat (Islamic law) or to reject or suspect it untrue any known and recognised aspects of Islam is also definitely Kufr/infidelity. To be a Muslim you have to, together with faith and belief also pledge your status as a Muslim. One must pledge his faith unless there is a difficulty, for example, you cannot speak, or to

speak would mean to lose your life or would lose a part of the body, then it is not necessary to pledge your faith with your tongue. In fact one can state things against Islam if their life is at risk. However, it is always best and reward not to say anything against Islam even to save your life. Except for this exception, whenever there is something that is submitted against Islam then they will be recognised as a Kafir. Whether you say that I was only saying it with my tongue but really did not believe it in my heart it will still be recognised as Kufr. Also to perform actions which are signs of Kufr then if you perform them you will be recognised as a Kafir/infidel. For example, to wear a 'Janeo' (a sacred thread worn by Hindus), or to have a lock of hair (plats for men) the same as Buddhists have, or to wear a cross are all actions of Kufr.

What aspects makes a person a Muslim

For a person to become a Muslim it is necessary for them to believe Islam as the true religion and does not reject any of it's necessary aspects, and also does not have beliefs contradictory or against the religion's necessary aspects (Zaroriyaat-e-Deen). Whether the person does not have the knowledge about all the religion's necessary aspect, i.e. even if he is a complete and utter illiterate he must believe in Islam and in the messenger of Islam and not have any beliefs against the necessary aspects of Islam (Zarooriyat-e-Deen). Whether he cannot pray the Kalima (submission into Islam) properly he is still a Muslim and not a Kafir. Thferefore, if he misses Namaz, Roza, Hajj etc. he will be a grave sinner but will remain a Muslim. This is because deeds are not a part of faith.
Belief: Whatever is without doubt Haram (forbidden) and to believe it as Halal (allowed), and to believe something Haram which is no doubt Halal is Kufr. when there is no suspicion of a particular thing being Halal or Haram or the person knows this.

What is Shirk - Polytheism

Shirk (Polytheism) is to believe someone else as lord except Allah or to believe someone worthy of worship except Allah. This is the worst type of infidelity. Except for this, regardless of how strong the infidelity is, it is not truly shirk. There will be no forgiveness for any type of Kufr/infidelity. Except for Kufr, all other sins are at the will of Allah, whatever he wishes, he will forgive.

Belief: To perform a large sin a Muslim does not become an infidel, but remains a Muslim. If he dies without performing repentance then he will still obtain Jannat. whether it will be after fulfilling his punishment or gaining forgiveness. This forgiveness may be obtained at the mercy of Allah's will or from the intercession of the Holy Prophet.

Rule : The order of someone asking for forgiveness for an Infidel
Whoever performs a prayer of forgiveness for a dead infidel, or calls an infidel as a forgiven or a Jannatee. or if someone calls a dead Hindu a 'Bekanth Baashi (Jannatee)are themselves an infidel.

Belief: To believe a Muslim as a Muslim and to believe an infidel as an infidel is necessary. A particular person's reality of being an infidel or a Muslim cannot be fully known until it is proven according to Shariat that on what state their death had come, meaning whether he has died on infidelity or died on Islam. However, this does not mean that whoever has performed definitive Kufr, then to be suspicious of his Kufr, because for someone to have suspicion of a person who has performed definitive Kufr is to become a Kafir himself. This is because the action of Shariat is done on what is seen to be the case, however, on the day of Hashr the real person's beliefs will be known. The best way to see this is that if a infidel, Christian, Jew or Hindu dies then one cannot say with complete confidence that this person has died as a Kafir, but the order of Allah and his Messenger for us is that we believe his as a Kafir and to treat him like a Kafir. The

same way is if a person is a known Muslim and he hasn't said or performed anything against the basic necessities of Islam, then it is obligatory for us to believe him as a Muslim. Whether we are unaware of what status he died at.

Belief: There is no third grade instead of infidelity or Islam. Meaning you cannot have a person who is not an infidel nor a Muslim, he must be either a Muslim or an infidel.

Belief: A Muslim will always remain in Jannat and will not be evicted, An infidel will always remain in Dozakh and will never come out.

Belief: To perform prostration as a form of worship to anyone except Allah is Kufr, and for respect it is Haram (strictly forbidden).

What is Bi'dat ? - innovation in religion

Whatever action is not proven by the Prophet is known as Bi'dat (innovation in religion). There are two types of Bi'dat. Bi'dat-e-Hasana. and Bi'dat-e-Sayyia. Bi'dat-e-Hasana is that where it is not against or contradicts a Sunnat. Like, to build mosques from concrete or bricks, or to write the Holy Quran in golden letters, To perform intention with the tongue, to learn knowledge of Kalaam, Sarf and Nahoo (all Arabic grammar), to learn knowledge of astronomy, to learn knowledge of pure mathematics or trigonometry or to preach all this knowledge. It is also Bi'dat-e-Hasana to build education houses (Madressas) like we do today, to perform functions as we do today and to five out certificates and perform occasions like 'Dastaar Bandi' etc. There are thousands of things like these which were not present during the time of the Holy Prophet. They are all Bi'dat-e-Hasana and in fact some are now necessary (Wajib), like to pray Tarawih as Hazrat Farooque-e-Azam (May Allah be pleased with him) stated "Ne'matil Bidatoo Haazihee.." meaning this is a good Bi'dat. Bi'dat Siyyia Qabiha is that innovation that is against a Sunnat or contradicts a Sunnat and this is either Makrooh (disliked) or Haram (strictly forbidden).

IMAMAT AND KHILAFAT -LEADERSHIP AND CALIPH

There are two types of Imamats, Imamat Sugra and Imamat Kubra. Imamat Sugra is the Imamat that is performed in Namaz and will be explained in the Namaz section.

Qualifiers for Imamat Kubra

Imamat Kubra is in relation to representing the Messenger of Allah Sallallaho Alaihi Wasallam. Meaning with representation of the Holy Prophet Sallallaho Alaihi Wasallam, to interrogate all of the Muslim's social or religious affairs and to have the power to do so. Also to have the power to ensure all the worlds Muslims follow him in the matter of non-disobedience. To have this Imamat it is necessary that one has the following qualifiers; He is a Muslim, is free i.e. not a slave, male, sane, adult, belonging to the tribe of Quraish, one who has power. It is not necessary for one to be from the family of the Holy Prophet i.e. Hashmi or from the family of Hazrat Ali i.e. AIwi or to be Ma'soom (immune from sin), it is also not necessary that one has to be the most virtuous from their nation.

Rule: When is it obligatory to obey the Imam
It is obligatory on all Muslims to obey the Imam when his orders are not against Shariat (Islamic Law), because, one cannot anybody's orders if they are against Shariat. An Imam should be made only if he is courageous, politician and an Islamic scholar (Alim) or works with the help of Ulema.

Rule: A female or child's Imamat is not allowed. An Imam is not dismissed if he involves himself with sin.

KHULAFA-E-RAASHIDEEN - PIOUS CALIPHS

After the Holy Prophet Sallallaho Alaihi Wasailam his true Caliphs and related Imam is Hazrat Abubakr.Siddique (May Allah be pleased with him). After him it is Hazrat Umar Farooque (May Allah be pleased with him). Then it is Hazrat Usman (May Allah be pleased with him). After him it is Hazrat Ali (May Allah be pleased with him) and then Hazrat Imam Hasan (May Allah be pleased with him). These leader's Khilafat is known as Raashida (Pious) because these great Sahhabis (companions) gave true representation of the Holy Prophet.

Belief: The length of Khilafat Raashida

The true pious Khilafat as per the traditions of the Holy Prophet lasted thirty years. Meaning it finished after six months of true Khilafat performed by Hazrat Imam Hasan (May Allah be pleased with him). Then the leader of Muslims Umar Bin Abdul Aziz performed the pious Khilafat, and Hazrat Imam Mehdi (May Allah be pleased with him) will perform true Khilafat in the final era. Hazrat Amir Ma'awiya was the first king in Islam. [Takmeelul Iman, Wa Kamal Ibne Hamam]

Belief: Who is the most virtuous of Caliphs.
After the Prophets, and out of all of Allah's creations including Jinn, Humans, Angels, the most virtuous is Hazrat Abubakr Siddique, then Hazrat Farooque Azam, then Hazrat Usman Gani, then Hazrat Maula Ali (May Allah be pleased with them). Whoever believes that Hazrat Ali is more virtuous than Hazrat Abubakr (May Allah be pleased with him) or Hazrat Farooque (May Allah be pleased with him) is a misguided person and from a bad sect.

COMPANIONS OF THE PROPHET AND HIS FAMILY

Who is a Sahhabi

Sahhabi (companion) is that Muslim who has assisted in the holy court of the Prophet (in the Holy Prophet's presence) and has passed away from this world with faith. All Sahhabis are of praise and are pious and are also sincere in their Islamic Judgement and the same for their Islamic actions. When their is talk of a Sahhabi, it is compulsory that it be with praise.
Belief: To have bad beliefs for any of the Sahhabis is mis-guidance and belonging to the wrong sect. To speak ill of the dignity of Hazrat Amir Ma'awiya. Hazrat Amr Bin Aas. Hazrat Wahshi etc is to curse them and this is a Shi'ite belief. To insult Hazrat Shaikhain (Hazrat Abubakr and Hazrat Farooque Azam) or to reject their position as Caliphs is according to Islamic lawyers, infidelity.

Belief: Regardless of how high a rank of a Wali is, they would never reach the grade of a Sahhabi. The battle between Hazrat Ali (May Allah be pleased with him) and Hazrat Amir Ma'awiya (May Allah be pleased with him) was a mistake in the interpretation of Islamic law and therefore is not a sin. Therefore, to call Hazrat Amir Ma'awiya cruel, treacherous, etc., is all strictly forbidden and not allowed and is in fact a curse and the person is a Shi'ite.

Who is Ahl-e-Bait (the Holy Prophet's immediate family)

Ahl-e-Bait is the Holy Prophet's wives and children. Just like the Sahhabis, there has been a lot of virtuous verses and Hadiths for them. To love the Sahhabis and Ahl-e-Bait is to love the Holy Prophet Sallallaho Alaihi Wasallam.
Belief. To accuse the mother of all Muslims Hazrat Aisha Siddiqua (May Allah be pleased with her) with adultery is definitely Kufr and is an apostate. [Shara-e-Aquaid, Wa takmeel, Wa Hindiya etc]
Belief: Hazraat - Hasnain (Imam Hasan and Hussain) are of the highest grade of martyrs. Those who reject any of their Martyrdoms is a misguided person and from a bad sect.
Belief: Those who call Hazrat Imam Hussain (May Allah be pleased with him) a traitor or show Yazid as correct is a rejected person and a Kharji and therefore rightful of the fire of hell. There is no doubt in Yazid being wrong, however, do not call Yazid a Kafir or call him a Muslim, but remain quiet.
Belief: Those who do not love the Sahhabis or Ahl-e-Bait is a misguided person and from the wrong sect.
Rule: To get involved in the details of disagreements between the Sahhabis is forbidden and strictly forbidden. To hold them against their mistakes or because of this, blame them or show them as no longer evident on faith is not allowed and is against the order of Allah or his Messenger.

WILAAYAT - FRIENDSHIP OF ALLAH

Wali is a pious Muslim who due to his knowledge and closeness to Allah has been given a specific position. Usually this grade is given after strictly following the Shariat and also devotion and worship. It is however, given sometimes from birth and therefore without devotion and effort. Out of all the Aulia, the highest grade is held by the Calipha-e-Raashideen. There have been Aulia in every era and will always be in every era, however, their recognition is difficult. Allah have given the Aulia great strength, whoever asks for their help is given that help even though they may be a great distance away. There knowledge is extensive, upto the extent that many give information of 'Makaana Wamaayakoon' (what has happened and what will happen) and on 'Lo'he Mahfooz'. After death their power and strength increases. To visit their shrines is to gain virtue, prosperity and blessing. To present them with Eesaal-e-Sawab is a very good thing and a way of gaining blessings. To perform the 'Urs' (death anniversary) of Aulia-e-Kiram, meaning every year to pray the Quran, perform Fatiha, speech ceremony, Eesaal-e-Sawab are all good things and are worthy of reward. However, as regard to bad acts and non allowable actions like, dance, music, group acts etc. are all sinful deeds and are even more sinful when performed near shrines.

What qualifications are necessary for a Peer

To become followers of Aulia and to become involved with them is a worthy action to gain reward in both worlds, it is therefore necessary for these four qualifying aspects to be necessary in a Peer, for one to perform Bai'at (take oath).

They must be a Sunni with the correct beliefs, otherwise you may actually lose your faith.

He must have enough knowledge so that he can complete his necessary actions by looking at books, otherwise he will no be able to differentiate between forbidden and acceptable, allowed and not allowed.

He must not be a Fasiq (wrongdoer, one who does not follow Shariat) as it is necessary to disrespect a Fasiq and it is important to respect a Peer.

His tree of virtue must be connected to the Holy Prophet otherwise he will not gain virtue from the top.

TAQLEED - THE FOLLOWING OF THE FOUR IMAMS

Taqleed, meaning to follow one of the four Imams of religion in orders of Islamic law (Shariat), i.e. Imam Azam Abu Hanifa, Imam Malik, Shafa'ee or Imam Hambal and to pray Namaz as per their way or perform Roza, Zakat etc. is necessary (Wajib) to follow one of them and is known as Taqieed Shakhshi.

Notice: These Imams have not made a rule on their own accord but have explained the meaning of the Quran and Hadith which a normal person or even an Alim could not understand. Therefore to follow these Imams is really following the Quran and Hadith. Rule: Whoever follows one Imam, cannot follow another Imam, for example, to follow some rules as per one Imam and other rules as per another Imam as it is necessary to firmly follow one Imam.. It is also not allowed to change from one Imam to another e.g. become a Hanafi from Shafa'ee etc. and so whoever you have followed upto today you must continue following him. It is also a joint agreement by all Ulema that you cannot follow another Imam or a Mujtahid (religious director) except for one of these four.

The First Qualification Meaning Cleanliness

Method of performing Ablution (Wuzu)

When you want to perform ablution, follow these steps -:

- First of all make the intention of ablution and then say "Bismillla Hirrahma Nirrahim" and wash both hands upto the wrists.
- Then perform Miswak (clean teeth with a wooden stick).
- Then by using the right hand, gargle three times and wash the inside of the mouth, ensuring that the water reaches upto the throat and also all the gums and underneath the tongue. If there is anything stuck on or between the teeth, then release it.
- Then by using the right hand suck up the water in the nose until it reaches the bone and clean the insides of the nostrils by using the left hand thumb and little finger, three times.
- After this, take water into the cup of both hands and wash the whole of the face three times, from the start of the forehead where the hair begins to grow, down to and including the chin. Also from the right hand ear lobe to the left hand one, ensuring that no place is left dry. If you have a beard then also wash this and also run your fingers through it. However, if you are wearing an Ehraam then don't run your fingers through the hair.
- Wash both arms upto and including the elbows three times. Washing the right arm first three times, then the left arm three times.
- Then perform Masah once, meaning join the fingertips of both hands together leaving out the index fingers and the thumbs on both hands. Then run water on these six fingers and then brush them over the hair, starting from the forehead and ending at the back of the neck. This is done once, ensuring that the palms of the hands and the index fingers and thumbs do not touch the head. Now bring fourth the hands by using the palms and rubbing them at either side of the head. Then clean the inside of the ears by using the index fingers and the back of the ears using the thumbs. Now wash the back of the neck by rubbing the back of the hands on either side of the neck, but ensure that the hands do not go on the throat as this would be Makrooh (disliked).
- Then wash the right foot, from the toes upto and including the ankles, three times. The perform the same three times for the left foot. Ensure that you wash between the toes.
- The ablution (Wuzu) is complete and so pray this Dua, 'Allahummajaini Minattawwabeena Wajaini Minal Mutatahhireen'
- Then take the water and stand up and drink some, as this is cure for the illnesses.
- Then look towards the sky and pray; 'Subhanaka Allahumma Wa Behamdika Ashhadu An La ilaha illa Anta Astagfiruka Wa Atoobo ilaik' Also pray the Kalima Shahaadat and Sura Inna Anzalna. It is also better if you pray Bismilla and the Durood Sharif when washing every part, also pray Kalima Shahaadat.
  The above is the method of performing Ablution. Out of these some actions are obligatory and if they were missed the ablution would not count. Some aspects are Sunnat and to miss deliberately would be an act of punishment. Some aspects are Mustahhab and to miss them would mean a reduction in reward.

Obligatory aspects of ablution (Wuzu)

There are four point in ablution that are obligatory.

- To wash the face . Meaning from the beginning of the forehead where hair starts growing upto the bottom of the chin. Also from one ear to the other ear. To ensure that the skin of the face is washed once leaving no part dry.
- To wash both hands upto and including the elbows once.
- To perform Masah of one quarter of the head. Meaning to run wet hands over a quarter of the head and at least so that the hair gets wet slightly.
- To wash both feet upto the ankles once.

The above four aspects are obligatory in ablution. Except for these, whatever methods have been reported are either Sunnat or Mustahhab. There are many Sunnats and Mustahabs in ablution and if you would like to know these in detail, then consult larger books such as 'Bahar-e-Shariat' or 'Fatawa-e Razvia'.

- Rule: To wash a part means to at least pour two drops of water over each part. To spread water over the parts lightly and not washing the part thoroughly and therefore the ablution or bathing would not count.
- Rule: To wash the skin above and below the lips, nails, eyes, the hair on eyelashes, eyebrows, the skin underneath jewellery and even the hole pierced in the nose, the skin underneath the mouchtache hair and beard hair and every part or every part in the four parts mentioned is obligatory. If a pinpoint of it was left dry then the ablution will not count.
- Rule: It is obligatory to perform ablution for Namaz, Sijdah-e-Tilawat or touching the Quran and it is necessary (Wajib) to perform ablution to perform Tawaf.

Makroohats (dislikes) of ablution

Meaning the aspects that should not be done in ablution.

1. To perform ablution with .the leftover water of ablution or bath performed by a female.
2. To spill water on a dirty place.
3. To perform ablution inside the mosque.
4. To spill used ablution water back into the bucket that contains the ablution water.
5. To spit out water or mucus etc. towards Qibla.
6. To talk of worldly things without cause.
7. To waste water unnecessary.
8. To use so little water so that all or some of the Sunnats would be missed.
9. To wash the face with one hand.
10. To throw water on the face.
11. To let ablution water drops on clothing or inside the mosque.
12. To miss any Sunnat of ablution.

Aspects that break the Ablution

1. Excretion of stools
2. Urinate
3. To break wind from behind

4. For worms or stones to be excreted from the front or rear.
5. For the leaking of semen water or sperm.
6. For blood, puss to be released and for it to flow from it's position.
7. For a mouthful of vomiting of food or water, or a slight amount of vomit of blood.
8. To become insane or to pass out
9. To faint
10. To be drunk or lost in control so much that the feet stagger
11. Except for the Namaz-e-Janaaza, to laugh so loud that the person standing next to you can hear you.
12. To go to sleep.
13. Mubashart-e-Fahisha (meaning, for a man to touch a woman's private parts with his erected penis with lust or to touch another man's private parts with his erected penis, or for a woman to touch another woman's private parts with her private parts without a cloth in between these parts.

In all the above situations the ablution (Wuzu) will break.

- Rule: If water is released from a hurting eye or puss that is released will break the Wuzu, and it is also an impurity and therefore if it touches an item of clothing, then it is necessary to clean.
- Rule: To laugh in Namaz that only you hear it yourself and no-one near you hears the laughter or voice then the Wuzu has not broken, however, the Namaz will break.
- Rule: If you smile in Namaz so that only your teeth show but no voice whatsoever is heard then neither the Wuzu or Namaz will break.
- Rule: Whatever moisture that leaves a man's body but does not break the Wuzu is not an impurity. For example the blood that stays in it's position or vomit that is not a mouthful are all clean.
- Rule: Saliva, spittle, sweat and dirt are not impurities and therefore clean (Pak). If these items are stuck on the body or clothing, then the Namaz will count but you should have them cleaned as this is better.
- Rule: The tears that come out due to crying do not break the Wuzu nor are they an impurity.
- Rule: By showing your knees or body, or to look at your own or someone else's body or touch someone's body does not break the Wuzu.
- Rule: If a milk drinking child vomited and if it is a mouthful then it is an impurity. If it touches something and is more than a Dirham (approx, size of a fifty pence piece) then it will make it impure. If the milk had not gone all the way in the stomach but had come back out from the throat then it is clean.
- Rule: Whilst in the middle of performing Wuzu it breaks then perform the Wuzu again, and if the water that is held in the palm of the hand and you release wind then this water is useless and do not use it to wash any parts.

Method Of Bathing

The method of bathing is as follows;

- Perform the intention of bathing (Ghusl) then first of all wash the hands upto the wrists three times.
- Then wash the private parts, whether there is any impurity stuck on them or not.
- Then wash any part of the body which has impurity stuck on it.
- Then perform Wuzu as performed in Namaz but do not wash the feet. However, if you are sat on a stool or a stone etc. then wash the feet also.

- Then rub water into the body as you would rub oil.
- Then wash the right hand shoulder three times.
- Then wash the left hand shoulder three times.
- Then wash the head and all of the body three times.
- Then move away from the place of bathing and if you did not wash the feet when performing Wuzu, wash them now.

Do not face the Qibia when bathing. Ensure that you rub your hands with water all over the body whilst scrubbing. Do not bathe where someone can see you. If this is not possible then it is necessary for you to cover the body from the navel to the knees (for men). If this is not possible then perform Tayammum (see later text). Do not talk when bathing or pray any prayers. After bathing, to dry the body with a towel is perfectly allowed.

- Rule: To bath naked in a careful hidden place (where no-one can see) is allowed. It is very important that women are very careful of this. After bathing wear clothes as soon as possible. Whatever aspects are Sunnat and Mustahhab in Wuzu are also the same in bathing except, if you are bathing naked then do not face Qibia and if you are wearing a cloth then there is no problem. There are three obligatory aspects in the method of bathing that has been shown, without which the bathing will not count and one will remain unclean and the rest are either Sunnat or Mustahhab and should not be left out. but if they are left out the bath will still count.

Three obligatory aspects of bathing

There are three obligatory aspects in bathing, and are as follows;

1. To perform mouthwash so that every single part of the inside of the mouth from the beginning of the lips upto the throat is cleaned with water. Water must reach the gaps between the teeth, the gums, all the sides of the tongue and the edge of the throat. If you are not fasting then you must gargle so that the water reaches clearly all parts. If there is anything stuck in the teeth (like strands of meat. the skin of a betel nut, the leaf of a paan etc.) then unless is impossible to release or would cause serious pain it is necessary that they are removed, because without doing this the bath won't count and therefore the Namaz won't count.
2. To clean the nose out with water. Meaning to suck up water into both nostrils until it reaches the bone, so that not even a hair or it's equivalent size remains dry, otherwise the bath will not count. If the nose is pierced then the water must reach the hole as this is also necessary. If mucus has dried in the nose then to release it is necessary and to wash the nostril hair is also necessary.
3. To wash every single part of the body. Meaning to make sure water washes all the body upto and including the soles of the feet, ensuring that every hair and every pimple is washed, because even if only one hair or it's point's equivalent remains dry, the bath will not count.

Notice: A lot of people bathe by wearing an unclean cloth and think by bathing they will become clean and at the same time wash the cloth that they are wearing. This is not the case because when they rub their hands on it they actually spread the impurity all over and therefore make the whole body, cloth and the container of water unclean. This is why before bathing it is important to wash the impurity stuck on the body or on the clothing, otherwise they won't clean the body but in fact make everything that they touch unclean. This is possible if they are bathing in a river or sea and the impurity is such that it will flow away without the need for rubbing or scrubbing, if this is not so then it will remain a problem.

What aspects makes it obligatory to bathe

There are five aspects that make it obligatory for a person to have a bath, and they are as follows; -

1. The ejaculation of sperm from it's place with lust.
2. To have a wet dream. Meaning nocturnal emission that is the releasing of sperm whilst sleeping.
3. The head of the penis to enter the vagina, whether it be with or without lust, with or without orgasm, the bathing would be obligatory on both.
4. To become clean from menstrual pause (period).
5. To become clean from blood after child birth.

- Rule: If sperm was ejaculated from it's place but not due to lust, i.e. it was done by lifting a heavy load or falling from a height, then to bathe is not obligatory, however, the Wuzu is broken.
- Rule: If semen dropped but was very thin and it came out whilst urinating or on it's own accord without lust then the bath does not become necessary but the Wuzu will break.
- Rule: To bathe on Fridays, Eid days, on the day of Arafah (9th Zil Hajj) or when wearing the Ehraam is Sunnat.

Things that can and cannot be done when bathing is obligatory

- Rule: It is strictly forbidden to enter a mosque, to perform Tawaf (of Kaa'ba), to touch the Holy Quran, or any part of the Quran whether it is in sections or volumes [Hadiya, Alamgiri], to pray the Quran whilst viewing it without touching it, to pray the Quran verbally, to wear or touch a ring with a word of the Quran written on it when it is obligatory for you to bathe. Rule: If the Holy Quran is wrapped in it's cloth (Juzdaan) or has a napkin wrapped around it. then there is no problem touching it without bathing [Hadiya, Hindiya]. If a verse of the Quran is prayed but the intention was not to pray as part of the Holy Quran, then there is problem. For example, to say Bismilla Hirrahma Nirrahim' for auspisciousness, or to say 'Alhamdo Lillahe Rabbil Aalameen' for thankfulness or to pray when in trouble or worried 'Inna Lillahe Wa Inna llahi Raji'oon' or for praise the Surah Fatiha was prayed or AayatuI Qursi was prayed or another verse was prayed, however, the intention was not to pray a verse of the Quran, then there is no problem [Hindiya etc.].
- Rule: To touch the Holy Quran or any verse of the Quran without ablution (but not in need to bathe) is forbidden, however to pray it verbally is no problem.
- Rule: To see the Holy Quran . whether the words are seen and then prayed in the heart is allowed in any situation.
- Rule: To touch the Fiqha, Hadith or Tafseer books is Makrooh.

Which wafer is allowed to bathe or perform ablution and which is not

Rainwater, sea water, ocean water, river water, stream water, canal water, well water, large pool or large lake or flowing water, snow and hailstone water is all allowed to be used to bathe or perform ablution or to clean impurities.

The rules and clarification of flowing water

The clarification of flowing water is the water that flows a piece of straw, this water is clean and can clean other things. The water will not become impure if some impurity is added in it, so as long as the water's colour, smell and taste does not change. If the colour, smell or taste is changed by the impurity then the water has become impure (napak). This water will now only become clean when the impurity reaches the bottom of the waterbed and all three aspects are reverted back to it's normal situation. Otherwise, there is more water added in which would flow the impurity away and/or change the colour, smell and taste back to normal. If the clean addition has changed the colour, smell and taste then you can perform Wuzu or Ghusl (ablution or bath) until the clean addition changes to impurity.

The rule and clarification of a large pool

Ten arms in length and ten arms in width where water is held in known as a 'Dadarda' or large pool. It is still counted if the length is twenty arms in length and five arms in width, or it is twenty five arms in length and four arms in width, meaning it is at least twenty arms square in total. If the pool is circular then it must be approximately thirty five arms in diameter and it does not have any part of the ground above water in that diameter, this is also counted as a large pool. It will not become impure by having impurities added in, until the colour, smell or taste does not change due to the impurity.

- Rule: If an impurity falls in a large pool that cannot be seen, e.g. alcohol, urine, etc. then you can perform ablution from wherever you want. If an impurity falls in that can be seen, e.g. stools, dead animal etc. then it is better to perform ablution away from where the impurity is.
  Rule: Many people can perform ablution together in a large pool, even though the used water is falling back in. However, mucus, phlegm, spittle should not be added back in the water as it is against purity.

Rule of used water

The water that has fallen from performing ablution or bath is clean but is not allowed to be used to perform ablution or bath.

- Rule: If a person who has not performed ablution, dips his hand or finger or fingernail or any part of the body which is washed in ablution, whether purposely or by mistake, in a tub of water which is less then a large pool (Dadarda) then that water cannot be used to perform ablution or bath. In the same way, if a person is in need of having a bath and any part of his body touches the water purposely or by mistake, then that water cannot be used to perform a bath or ablution. If the part of the body or hand has been washed, then there is no problem.

Advice on making use of the used water

If a hand is put into the water or you want to use the used water then the way of re-using it again is-to add fresh clean water more than the amount of water that is held in the container or to add clean water at one side so that the used water is flowed away, then you can use the new water to have a bath or perform ablution. If water is held in small pots and you are unaware of any impurities added in them, then ablution is allowed.

- Rule: If an infidel informs you that this water is clean or unclean, the water will remain clean as this was it's original situation.
- Rule: Ablution cannot be performed with water squeezed from a branch of a tree or fruit water, such as water from a melon or mango or sugarcane.
- Rule: If a small amount of a clean item is added to water, such as a rose, jasmine, saffron, soil or sand then it is allowed to use the water to have a bath.
- Rule: If such colour or saffron is added to water so much that the due to the colour the clothes would change to that colour, then it is not allowed to perform ablution or have a bath with this water.
- Rule: If milk is added to water and the colour of the water changes to the colour of the milk, then it is not allowed to perform ablution or have a bath with this water.

Water of a well.
(This section has been left out as it is not deemed necessary to learn this knowledge in this day and age and in these countries, such as UK America, Africa etc.)

IMPURITIES

Rules of impurity Ghaliza

There are two type of impurities, Ghaliza and Khafifa. If impurity Ghaliza gets on your clothes and is more in size than a Dirham (fifty pence piece), then to clean it is compulsory, without cleaning it your Namaz will not count. If the impurity on your clothes is the same size as a Dirham, then to clean it is necessary (Wajib) and therefore if Namaz is prayed, you must repeat it as the Namaz is Makrooh-e-Tahrimi and to pray it again is Wajib. If the impurity is less in size than a Dirham, then to clean it is Sunnat and if Namaz is prayed, it will count but is against the Sunnat and to repeat it is better.

- Rule: If the impurity is solid such as stools, dung, excrement etc. then the measure of a Dirham is in weight, if the impurity is liquid such as urine, alcohol etc. then the measurement of a Dirham is in length and width. According to Shariat the weight of a Dirham in this text is four and a half grammes and in the text of Zakat is three and a fifth grammes. The size in length and width of a Dirham according to Shariat is the inside of a palm (and therefore approx. size of a fifty pence piece) [Durr-e^Mukhtar, Bahar-e-Shariat}.

Rules of impurity Khafifa

Whatever part of clothing impurity Khafifa gets stuck to (e.g. sleeve, collar, trouser leg'etc.) or part of the body (e.g. hand, arm, leg etc.) and if it is less than a quarter of the whole item. then the Namaz will count. If it is more than a quarter than the item, then without washing it the Namaz will not count [Alamgiri etc.].

- Rule: The difference of impurity Ghaliza and Khafifa is when it gets stuck on clothing or the body. However, if an impurity, whether Ghaliza or Khafifa is added to a liquid such as water, vinegar, milk etc. then even if one drop is added the whole content becomes impure, as long as it is not a Dadarda (large pool).

What items are impurity Ghaliza

Whatever item is discharged from a person's body that would break the Wuzu or Ghusl is impurity Ghaliza. Such as faeces, urine, flowing blood, puss, mouthful vomit, blood from menstrual pause, blood from childbirth, blood discharge, sperm, semen (thin), water from a hurting eye, navel or stomach water-which comes out due to pain, flowing blood from any land animal whether Haram or Hala! including small reptiles blood such as lizards, fat of a dead animal, meat of a dead animal and any faeces or urine of a Haram four legged animal such as dog, cat, tiger, cheetah, vulture, fox, wolf, donkey, ass, elephant, pig and horse dung etc. Also faeces of any Halal four legged animal such as cow or buffalo dung, goat, camel, white antelope, stag, deer dung. also dung of those birds who do not fly high such as chicken, duck, whether they are large or small. Any type of alcohol or juice that would make someone lose their sense. Also faeces and urine of a snake and also meat of a wild snake and a wild frog who has flowing blood and whether they have been slaughtered and their skin whether it has been boiled. Also meat of a pig and it's bones, skin and hair whether it has been slaughtered. All of the above is impurity Ghaliza [Alamgiri etc.].

- Rule: The urine of a milk drinking child male or female is impurity Ghaliza. The fact that is commonly known that the urine of a milk drinking child is clean is totally wrong [Qazi Khan, Radd-ul-Mohtar]. If a distressed lion cub vomited milk and it was a mouthful, then it is impurity Ghaliza.
- Rule: The blood of a lizard or chameleon is impurity Ghaliza.
- Rule: An elephant's trunks phlegm is impurity Ghaliza. The saliva of beasts such as dogs, cheetah and other four legged beasts is impurity Ghaliza [Qazi Khan].
- Rule: If impurity Ghaliza mixes with impurity Khafifa. then all of it becomes Ghaliza.
- Rule: If there are various drops of impurity Ghaliza on a piece of clothing and individually it does not amount to a Dirham, however, when collated together it is the same size or more than a Dirham then the rule of a Dirham applies. The same rule applies to impurity Khafifa.

What items are impurity Khafifa

Whatever animal's meat is Halal, such as a cow, bull, buffalo, ram, goat, camel, white antelope etc. their urine and a horse's urine is impurity Khafifa. Also those bird's meat which is Haram (whether it be a bird of prey) such as crow, eagle, falcon, hawk etc. their droppings is impurity Khafifa [Hindiya etc.]. Milk of Haram animals is impurity Khafifa, however, milk of a female horse is clean but is not allowable for drinking [Bahar-e-Shariat]. The Halal birds that fly high such as, pigeon, dove, starling, water fowl, geese etc. their droppings are not impure.

- Rule: The droppings and urine of a bat are both clean [Radd'ul-Mohtar].
- Rule: The blood of fish and animals of water and small mites and mosquitoes is clean [Hindiya etc.].
- Rule: If very small droplets of urine like the size of a pinpoint get on your clothes or body, then they will remain clean [Qazi Khan].
- Rule: If the clothing has them sort of small droplets and then it drops into water, the water will remain clean [Bahar-e-ShariatJ.
- Rule: If blood comes out due to injury but stays in it's spot and does not flow, then it is clean [Bazaziya, Qazi Khan]. The blood that has remained in the meat, spleen and liver is clean and if these items are mixed in flowing blood then it is impure and will need to be washed before making it clean [Hindiya, Bazaziya etc.].
- Rule: If you are praying Namaz and there is a bottle in your pocket containing urine, alcohol, blood, then the Namaz will not count [Minya etc.]. If you have an egg in

your pocket whilst praying Namaz and whether the inside of the egg is turning into blood the Namaz will count {Minya etc.].

- Rule: If after performing excretion or urinating you clean the parts with a handful of sand etc. and then you perspire sweat and the clothing gets wet. they will not be unclean [Bahar-e-Shariat].
- Rule: If the smoke from impurities gets on your clothes, they will not become unclean [Alamgiri, Radd-ul-Mohtar etc.].
- Rule: The mud in the path is clean as long as you are not aware of any impurities being in it and if Namaz is prayed with this mud on your clothes or feet, it will count, but it is better to clean it off [Bahar-e-Shariat].
- Rule: If water is passing in a stream on the pathway and some of it splashes on your clothes, the clothes will not be impure, however, it is better to clean them [Bahar-e-Shariat].

FOOD LEFTOVERS AND PERSPIRATION (SWEAT)

Rule: Who's leftovers are clean ?

Human's leftovers (whether they are need of bathing or a woman who is on her menstrual cycle or still bleeding after childbirth) are clean [Khaniya, Hindiya).

- Rule: The leftovers of infidels is also clean, however, you should refrain from it. In the same way, mucus, phlegm. saliva are also clean but people should avoid contact with them. You should believe it belongs to a very bad infidel [Hindiya etc.].
- Rule:The animals whose meat can be eaten, whether they be four legged or birds, their leftovers are clean, for example, cow, buffalo, bull, goat, pigeon, pheasant etc.
- Rule: The chickens which are free range and therefore can peck impurities, their leftovers are Makrooh (disliked), and if they are caged, then their leftovers are clean.
- Rule: The leftovers of a horse are clean [Hindiya etc.].
- Rule: The animals whose leftovers are impure are, pig, dog, tiger, cheetah, wolf, elephant, vulture and other carnivorous animals [Hindiya, Khaniya].
- Rule: Animals that live in the house such as cats, mice, snakes, lizards etc. their leftovers are Makrooh [Khaniya, Alamgiri].
- Rule: Leftovers of species that live in the water are clean, whether their birth was in or out of the water.
- Rule: The leftovers of birds of prey such as eagle, falcon, owl etc. are Makrooh.
- Rule: The leftovers of a crow are Makrooh [Bahar].
- Rule: If an eagle, falcon, hawk or owl are kept as a pet and used for hunting and you are aware that there is no impurity stuck in their beak, then their leftovers are clean.
- Rule: The leftovers of donkeys and ass is doubtful and therefore water cannot be used to perform Wuzu.
- Rule: If leftover water is clean then you can use it to perform ablution or have a bath, however, if a person whom it is obligatory to have a bath, drinks water without first cleaning his mouth, then Wuzu is not allowed with that leftover water because the water has been infected.
- Rule: Whilst there is clean water available, it is Makrooh to use Makrooh water, however, if the only water available is the Makrooh water, then there is no harm. To eat Makrooh leftovers for a rich person it is Makrooh, for a poor person who has no choice, there is no harm. Whilst there is clean water available, it is not allowed to use doubtful water, and if the only water available is the doubtful water then you

should use it for ablution or bathing and also perform Tayammum. In this situation it is necessary to make the intention of water and Tayammum, as an intention for just water or just Tayammum would not be sufficient.

- Rule: You should not eat doubtful food or water.
- Rule: If doubtful water is mixed with clean water, and if the clean water is more in quantity then it is allowed to be used for bathing and if it is less in quantity, then it is not.
- Rule: Those who's leftovers are impure, their sweat and saliva is also impure. Those who's leftovers are clean, their sweat and saliva is also clean. Those who's leftovers are Makrooh, their sweat and saliva is also Makrooh.
- Rule: If the sweat of a donkey or mule gets on your clothes, they will remain clean regardless of the quantity.

TAYAMMUM

If you have not performed ablution or in need of a bath but do not have access to water, the you must perform Tayammum. There are a few situations for not having access to water.

You have such an illness, that by using water to perform ablution or have a bath it will make the illness worse or would delay the recovery, and this is not just an assumption but you are sure about it. Either you have tried and found out about it or a pious Muslim doctor has given you this advice, then Tayammum is allowed.

- Rule: If it is just an assumption that the illness will get worse or a wrongdoer, infidel or non qualified doctor has advised you then Tayammum is not allowed.
- Rule: If the illness gets worse due to using cold water, but is okay when using warm water, then you must use warm water to perform ablution or have a bath because Tayammum is not allowed. However, if you cannot get warm water then you can perform Tayammum. Also if it is the case that during cold times the illness gets worse but is fine during warm times, then perform Tayammum in the cold times and when the warm time comes, perform ablution or have a bath with water in readiness for the cold times. Whatever Namaz has been prayed whilst with the Tayammum is not necessary to be repeated.
- Rule: If by pouring water over the head affects the illness, then bath with water below the neck and perform Masah for all of the head.
- Rule: If there is a particular part of the body which is affected when using water, then perform Masah over that part and wash the rest of the body with water.
- Rule: If a particular part is affected even by performing Masah, then put a piece of cloth over it and perform Masah over the cloth.
- Rule: All the corners of the wound where water will not have an affect must be washed as this is obligatory and also lift any bandage or the corners, however, if by lifting the bandage it will affect the wound then perform Masah over the wound.

1. Where there is no sign or knowledge of water for a full square mile the Tayammum is allowed.
    - Rule: If there is a thought that there is water within a mile, then you must search for it as Tayammum is not allowed. If you did not search for water and

performed Tayammum and then prayed Namaz, later you found water then you must pray the Namaz again after performing ablution. If however, you did not find water then the Namaz will count.
    - Rule: If you are praying Namaz and you see someone with water and think that if you asked them they would give you the water, then you must break the Namaz and ask for the water.
2. The weather is so cold and you are truly confident that by bathing you will either die or get ill and you have no medicine available that will cure your cold, then Tayammum is allowed.
3. You have the fear of an enemy that if they see you they will kill you or steal your possessions or you owe them money and are poor and they will get you imprisoned, the Tayammum is allowed. You see a snake near the water and fear that it will bite you, or you see a tiger and fear that it will maul you, or there is a bad person there who will rape you then Tayammum is allowed.
4. You are in a jungle and have no bucket and rope that you can collect the water, then the Tayammum is allowed.
5. You are thirsty and have water but are aware that if you use it for performing ablution or having a bath, you will suffer with thirst or you have an animal with (whether it be a dog which you are not allowed to keep) and are aware that it will suffer thirst or after some time, and your journey is a long one without knowledge that water may be available later, then Tayammum is allowed.
    - Rule: You have water but require it to mix flour for food then Tayammum is allowed. If water is required to make a soup, then Tayammum is not allowed.
    - Rule: You have stuck either on your body or clothing some impurity and is obligatory for you to clean, you only have enough water to either clean the impurity or perform ablution, then you must first clean the impurity and then perform Tayammum. If Tayammum is performed before it will not count and after cleaning the impurity you must perform Tayammum again.
6. The water to purchase is expensive. Meaning whatever the going price is the seller is asking for twice as much then Tayammum is allowed. However, if there is not a big difference, meaning less than double then Tayammum is not allowed.
7. If by searching for water you will get lost from your group or you will miss your train, then Tayammum is allowed.
8. You are in doubt that if you perform ablution with water you will miss the Eid Namaz either the imam will perform Salaam or the time will reach midday, then Tayammum is allowed in both situations.
    - Rule: If you think that by performing ablution with water your time for praying the latter Sunnats of Zohr, Maghrib. Isha or Ju'ma will go or your time for the Namaz of Chast will be missed, then perform Tayammum and pray them
9. If you are not the organiser of a funeral procession and fear that if you wait to perform ablution you will miss the Janaza Namaz the Tayammum is allowed.
    - Rule: You have gone to sleep inside a mosque and then are in need of having a bath (bathing has become obligatory for you e.g. had a wet dream) then perform Tayammum and come out of the mosque, to delay is Haram.
    - Rule: It is not allowed to perform Tayammum to touch the Quran or perform Sijdah-e-Tilawat or Sijdah-e-Shukr when access to water is available.
    - Rule: The time is so short that if you perform ablution or have a bath the Namaz will become Qaza, then perform Tayammum and pray the Namaz and after have a bath or perform ablution and repeat the Namaz as this is necessary.
    - Rule: A women has become clean from her menstrual cycle or childbirth bleeding and has no access to water, then perform Tayammum.

- Rule: You have only enough water to perform ablution, however, you are in obligation to have a bath, then perform ablution with the water and perform Tayammum for bathing.

The method of Tayammum

After making the intention of Tayammum, say 'Bismillahirrahma Nirrahim' and press both hands on to the ground which contains items of pure substance. If a lot of substance gets stuck on the hands then hit the hands together so the excess is shaken off. Then with these hands wipe over the whole face. Repeat the action again and wipe over both arms from the fingernails to and including the elbows, and this is' the Tayammum completed. The wiping of the head and feet are not performed in Tayammum. There are only three aspects which are obligatory in Tayammum, the rest are Sunnat,

Obligatory (Farz) aspects in Tayammum

1. To make the intention. Meaning to have the intention of performing ablution or bath or both to gain cleanliness. If the intention of Tayammum is made after hitting the hands on the ground, then the Tayammum will not count. The intention of Tayammum in the heart is obligatory (Farz), also it is better to say it with the tongue. For example, Say "I am performing Tayammum to rid of the impurities of being without bathing or being without ablution so that my Namaz will be allowed" then say 'Bismillahir Rahmanir Rahim' and hit the hands on the soil.
2. To rub your hands all over the face so that no hair or skin will remain untouched, otherwise the Tayammum will not count.
3. To rub your hands over both arms including the elbows. If any part is left untouched then the Tayammum will not count.

- Rule: It is necessary to rub your hands over the hair of the beard or mouchtache or eyebrows.
- Rule: The same area is applicable as when performing ablution, except Tayammum is not done inside the mouth. Whatever lips show after closing the mouth must be rubbed.
- Rule: When hitting the hands ensure that they are not clapped. The way to do this is put one thumb over another thumb and Join both hands together so that the excess drops off.
- Rule: If the soil has not reached between the fingers then it is obligatory to run the fingers between each other (Khala) otherwise it is Sunnat. The same applies to the beard hair.
- Rule: If in one Tayammum the intention of both a bath and ablution is made. then this is sufficient as the Tayammum for both will be accepted.
- Rule: The Tayammum of a bath and an ablution is done in the same way.

Materials that can and cannot be used for Tayammum

Tayammum can be done with material which is from the earth, and whatever is not from the earth cannot be used to perform Tayammum.

- Rule: Whatever material that cannot be changed or melted or softened by burning is from the material of the earth and can be used to perform Tayammum. Therefore

soil, dust, sand, lime, antimony, sulphate, brimstone, slate, brick dust, stone, jasper, turquoise, carnelian, emerald and other precious stones etc, can all be used to perform Tayammum even if they do not have dust on them.

- Rule: It is necessary that whatever material is used for Tayammum that it is clean, meaning from impurities or has had impurities on it.
- Rule: Whatever item has had impurity dried on it and has no more effect of the impurity left still cannot be used to perform Tayammum, however can be used to pray Namaz on.
- Rule: If there is suspicion that it may have been impure at one time is unnecessary and therefore has no effect.
- Rule: You cannot perform Tayammum with ashes.
- Rule: If ashes are mixed in with earth and there is more earth, then Tayammum is allowed, otherwise not.
- Rule: Tayammum is allowed with wet soil as long as the soil has overcome with water.
- Rule: If a piece of wood or clothing has so much dust on it that when putting the hand on it, it makes a mark the Tayammum is allowed.
- Rule: Tayammum is allowed by using a cemented wall [Bahar-e-Shariat etc.].
- Rule: Baked Brick is allowed to be used for Tayammum [Bahar-e'Shariat etc.]
- Rule: Tayammum is allowed when the earth or stone turns black from fire. Also if stone turns into ash then Tayammum is still allowed.

Actions that break Tayammum

Whatever actions break the ablution or make bathing necessary also break the Tayammum. The additional aspect is to have power over water again will also break the Tayammum.

- Rule: If you past a position where water is available within a mile then the Tayammum will break as it is not necessary to actually reach the water, however, if you were asleep when you went past the position, then the need for Tayammum will not break.
- Rule: If an ill person performed Tayammum instead of bathing but is now much healthier that if he did have a bath with water it would not harm him, then the Tayammum will break.
- Rule: If you found enough water that you could wash the parts that are obligatory in ablution once each, then the Tayammum will break and if the water is less than that, then it won't break. The same applies if you found enough water to perform the obligatory aspects of bathing once then the Tayammum of bathing will break, otherwise not.
- Rule: If you performed one Tayammum for both bathing and ablution and then you performed an act that would break the ablution or you find enough water so that you can perform ablution or you become well from illness that if you performed ablution it would not harm you, then the Tayammum allowed for ablution will go but the Tayammum allowed for bathing will remain.

WIPING OVER SPECIAL SOCKS CALLED KHUF

If someone is wearing special socks they would therefore when they perform Wuzu, do not wash their feet but in fact just wipe their wet fingers over the Khuf then this is allowed.

- Rule: If bathing is obligatory for you. then you cannot perform Masah (wipe) over the Khaf.

There are a few qualifications for performing Masah;

1. The Khuf are long enough that the ankles are covered. If they are a few fingers short but the heel is covered, then the Masah is allowed.
2. They are stuck to the feet, so that when wearing them you can walk freely.
3. They are made from leather or at least the sole is made from leather and the rest made from other thick coated material.
    - Rule: The socks worn in India (and UK etc) which are made from either cotton or wool cannot be wiped over, it is obligatory to take them off and wash the feet.
4. They must be put on after performing Wuzu. Meaning if you put them on and had not performed Wuzu, then you must take them off when you perform Wuzu.
    - Rule: If they are worn after performing Tayammum, then to wipe over them is not allowed.
5. They must not be worn when bathing is obligatory on you, or wear them and then bathing becomes obligatory for you.
6. They must be worn only for a maximum fixed time, and this is for a non-traveller one day and one night (24 hours) and for a traveller three days and three nights (72 hours).
    - Rule: From when the first time the Wuzu breaks the time starts. For example after performing Wuzu you wear the Khuf and then your Wuzu breaks at Zohar time, the twenty four hours would start from then. I.e. for a non-traveller the next day Zohar would be the full time and for a traveller the fourth day Zohar.
7. They must not be ripped more than the feet's three small toes in size or when walking open more than that gap.
    - Rule: If the Khuf were ripped or the seam opened but three fingers could not be seen, however, when walking more than three fingers could be seen then the wiping over them is not allowed. Meaning that in a ripped Khuf if more than three fingers can be seen then wiping (Masah) is not allowed otherwise it is.
    - Rule: It doesn't matter much if the Khuf has a ripped part which is over the ankles. The measurement of ripping is from below the ankles.

Method of performing Masah (wiping) over Khuf

The method of performing Masah (wiping) over the Khuf is to stretch the right hand and wet three small fingers and from the start of the top of the Khuf from the toes and wipe and it is Sunnat to go upto the shins. Perform the same for the left Khuf.

There are two (Farz) obligatory aspects in performing Masah over the Khuf;

1. Every Khufs Masah must be at least the same size as the three small fingers.
2. The Masah must be on top of the Khuf.

There are three Sunnats in performing Masah,

1. To use the hands three finger's full length.

2. To stretch the fingers and wipe all the way upto the sh'ns.
3. When performing the Masah keep the fingers stretched apart.

- Rule: It is allowed to perform Masah over English style leather boots if the ankles are covered [Bahar-e-Shariat].
- Rule: It is not allowed to perform Masah over the Amama (turban), the Burkha and Naqab (veil).

What aspects breaks the Masah over the Khuf

The actions that break the Masah(wiping) over the Khuf are as follows;

- Whatever actions break Wuzu also break the Masah.
- The Masah will finish as soon as the time has finished. In this situation it is sufficient to just wash the feet rather than perform whole of the ablution again.
- If you take the Khuf off, then the Masah breaks, whether you may have only taken one off.

Rule: If you have a wound or corn or any other illness on parts the Wuzu that need to be washed and if by flowing water on them it will cause you problems then lightly perform Masah over them. If this is not possible then put a piece of cloth over the wound and perform Masah over this, if this cannot be done then it is forgiven and can be left out. If you have medicine on the wound then it is not necessary to clean out the medicine, just flowing water over it would be sufficient.

MENSTRUATION - PERIOD

What is menstruation ?

After a female becoming a teenager, the blood that comes out from the vagina on a fixed time basis and is not due to childbirth or illness, is known as menstruation or period (Haiz). If the blood is due to illness then it is known as Istihaza, if it is due to childbirth then it is known as Nifas.

- Rule: The time for menstruation is at least three days and three nights, meaning a full seventy two hours, if it is less by even a minute it is not menstruation, and the maximum is ten days and ten nights.
- Rule: If the blood stops just less than seventy two hours then it is not a period but Istihaza. However, if the period started from sunrise and finished on sunrise three days later, then this will be recognised as a period, otherwise any other starting time is measured as one day being twenty four hours [Bahar-e-ShariatJ.
- Rule: If the blood came for more than ten days. then if this is the first instance that blood has come, then for the ten days it is menstruation and the rest it is Istihaza. If you have had a period before and the time was usually less than ten days, then whatever the time it used to come for is menstruation and the rest is Istihaza. For example, if the usual time for menstruation is five days and this time the blood has come for ten days then it is all recognised as menstruation and if it has come for twelve days, then the first five days is menstruation and the other seven is Istihaza. If there is not a regular pattern, meaning that sometimes the blood comes for four

days sometimes for five, then whatever amount of days was the last period, this will be counted on this occasion.

- Rule: It is not necessary that blood continues coming all the time, if it starts and stops for them days it is still recognised as menstruation.

Age when menstruation begins

The age of the menstruation cycle beginning is at least nine and the finishing age is fifty-five. The female is known in this age is called 'Aa'is' and this age is called 'Sun'aayas'[Alamgiri].

- Rule: If blood comes before the age of nine, then it is Istihaza. In the same way if blood comes after the age of fifty-five then it is also Istihaza. However, if blood comes regularly as it did before the age of fifty -five and is the same colour then it is menstruation.
- Rule: If a pregnant woman has blood, then this is istihaza. Also whilst having childbirth as long as the child has not come out more than half way then this is Istihaza.
- Rule: There must be a gap of at least fifteen days between two periods and also between Nifas (childbirth blood) and a period there must be at least fifteen days gap. If a person finishes her Nifas and it has been less than fifteen days before blood appears, then this is not Haiz but Istihaza.
- Rule: Menstruation will be recognised when blood comes out of the opening of the vagina. If a piece of cloth is stuck so that the blood does not come down but remains stuck inside. then until the cloth is removed it will not be recognised that the period has started, she will pray Namaz, keep Roza.

Colour of menstruation

- Rule: There are six colours of menstruation, black, red green, yellow, brown and clayey. The white discharge is not menstruation.
- Rule: If there is the slightest dirtiness in white discharge within he ten day hen this is menstruation. If their is dirtiness remaining in the white Discharge after ten days then for a Person who has a habit of five days then the five days is menstruation and the rest is lstihaza if the total goes over ten days. If the person does not have a fixed time habit then upto the ten days is menstruation and anything over is Istihaza.
- Rule: If a woman never in all her lifetime had menstruation or was only ever less than three days and night then she will remain clean. If a woman only ever had menstruation for three days and night once and then never had bleeding then except for the one instance she is always clean.

NIFAS - MEANING BLOOD AFTER CHILDBIRTH

Definition of Nifas and time Nifas meaning the blood discharged by a woman after childbirth. It has no minimum time, meaning even if one drop of blood comes out from when the child has half come out then this is Nias. The maximum time for Nifas is forty days and nights.

- Rule: The recognition of Nifas is from when the child has half come out.
- Rule: If blood comes out for a woman more than forty days then if this is their first child or she cannot remember how long the blood came from a previous childbirth, then in both situation the full forty days and nights is Nifas and the rest is Istihaza. If the woman can remember the length of the last Nifas bleeding then upto them days

is Nifas and anything over them days (as long as the total goes over forty days) is Istihaza. For example, if someone's habit for Nifas is thirty days and this time the bleeding was for forty-five days then the thirty days is Nifas and the rest is Istihaza.

- Rule: Before the delivery of the pregnancy, if blood comes, then it is Istihaza until the child is half born,
- Rule: If some blood comes before the delivery of the pregnancy then it is Istihaza and if some blood comes after then this is Nifas. this is as long as their has been some parts of the child's body being created otherwise if it is the menstrual cycle, then it is so, otherwise it is istihaza.
- Rule: If blood sometimes come and sometimes it doesn't as long as It Is all within the forty days it is Nifas, whether the gap Is longer than fifteen days or not.
- Rule: The order for the colours of Nifas is the same as mentioned for the colours of Haiz.

Note: In this text, whenever the words childbirth are used it means from when the child has come out half way or more.

RULES OF HAIZ AND NIFAS

- Rule: It is Haram to pray Namaz or to keep a fast (Roza) whilst in menstruation or bleeding after childbirth (Haiz or Nifas).
- Rule:Namaz is forgiven in both these situations and there is no need to keep Qaza for the missed Namaz, However, it is obligatory to keep the Qaza of the missed Roza in both these situations.
- Rule: During the times of Namaz, a woman should perform Wuzu and pray the Durood Sharif or some other prayer for the duration of the Namaz, so that she will remain in habit. For a woman on her period or during Nifas to pray the Quran whether by looking at it or off by heart, or to touch it whether the whole of it or part of it or a verse of it by the tips of the fingers or any other part of the body is all Haram [Hindiya etc.].
- Rule: To touch a piece of paper with a verse of the Quran written on it is also Haram.
- Rule: If the Holy Quran is wrapped in a cloth (Juzdan) then to hold the Juzdan is allowed [Hindiya].
- Rule: The rules are the same in this situation for touching the Holy Quran or other religious books as it is for when bathing is obligatory for someone, this has been covered in the Ghusl section.
- Rule: If the tutor has Haiz or Nifas then she should teach each verse whilst breaking it into parts (breathing in between the words), there is no problem in spelling.
- Rule: It is Makrooh to pray Dua-e-Kunoot whilst in Haiz or Nifas.
- Rule: Except for the Holy Quran all other recitations, submissions, Durood Sharif etc. is allowed without any problems,
  Smething is missing here in Wuzu and Namaz then she is not a Ma'zoor.

MA'ZOOR

All people who have a certain illness within a time, whereby with Wuzu they cannot pray full Namaz and the time passes but this illness does not stop, is known as a Ma'zoor. Meaning in all the time the illness did not stop so that they could perform Wuzu and pray Farz Namaz. The rule of a Ivla'zoor is that they perform Wuzu and can pray any Namaz within a Namaz

time period and their Wuzu would not break due to that illness. For example, illnesses like continuous drops of urine, continuous releasing of wind from the back passage, releasing water from a hurting eye, releasing of puss from a wound or mole or water coming out of the ear or navel etc. these are all illnesses that break the Wuzu, and if a full Namaz time goes pass and after every effort the illness does not stop, therefore you cannot become clean from it and therefore cannot pray Namaz, then this has proven that you have an illness that cannot be stopped and therefore whilst this illness continues you are a Ma'zoor. For example, a time of Namaz has passed for a woman whereby Istihaza did not give her enough time that she could become clean from it and perform Wuzu and pray Farz Namaz. In the second Namaz time, she gains enough time to perform Wuzu but blood drops once or twice then she is still a Ma'zoor, because once an illness has been proven that it can't be stopped during one Namaz period but then does not continue to be causing a problem but sometimes in a second period it returns then the person will remain a Ma'zoor as it is not necessary for the illness (once proven) to continue all the time and break Wuzu For an illness to be proven it is necessary that one whole period passed without being free from the illness that causes Wuzu to break, then in the second period all the time is not necessary but once is sufficient for them to remain a Ma'zoor.

- Rule: As soon as the time for Farz Namaz finishes the Wuzu of a Ma'zoor will also break. If Wuzu was performed for the Namaz of Asr, then it would break as soon as the sun sets. Also if Wuzu was performed after sunrise, then a Ma'zoor's Wuzu would remain until the end of Zohr time as there are no Farz Namaz in between this time.
- Rule: A Wuzu for a Ma'zoor will not break with the illness only, this means it will still break with another fault that normally would break Wuzu. For example, if a person's illness is that they continue dropping urine, then if they released wind then their Wuzu would break or if their illness that they cannot stop releasing wind then their Wuzu would break if they had urine drops.
- Rule: If there is any way that the illness would be reduced or would stop then this is obligatory. For example, if blood flows when standing up to pray Namaz but it stops when you sit down and pray, then it is obligatory to pray whilst seated.
- Rule: If the Ma'zoor has an illness whereby his clothing will become impure and is more than a Dirham in size and he has enough time that he can wash the impure part and then pray Namaz, then it is obligatory for him to do this, and if he knows that whilst praying Namaz it will become impure by the same amount then it is not necessary for him to wash it, continue praying with these clothes even if the place where Namaz is being prayed also gets impure. If the impurity on the clothing is the same size as a Dirham and there is enough time for him to clean this and is also aware that the clothing will not get the same amount of impurity again whilst praying Namaz, then it is necessary (Wajib) for him to clean this. If the impurity is less than a Dirham and there is time, then it is Sunnat to clean it and if there is no time left, then in any situation it is forgiven.
- Rule: If there is any discharge from a wound but does not flow then nor will it break the Wuzu, nor will you be a Ma'zoor due to it and nor is it impure.

METHOD OF CLEANING IMPURE ITEMS

There are two types of impure items. Firstly there is the item that is in itself impure which is known as impurity, such as, alcohol, faeces, urine, dung etc. these items until they keep to it's original form, they cannot be made clean. Alcohol will remain impure as long as it stays as alcohol, and if it is made into vinegar then it becomes clean. Cow dung will remain

impure until it is burnt and turned into ashes, then it is clean [Muniya, etc.].

Secondly there is the item which is itself not impure, but due to having impurity stuck on it, it becomes impure, such as, a piece of clothing has had alcohol on it, the clothing is now impure. To clean these items there are various methods. Many will become clean after washing them, some will become clean after drying, some after shaking, some after burning, some after tanning and some after cutting.

- Rule: You can clean impurity from items with clean water and any other clean liquid which would be able to clean it. Such as, vinegar, rose water, tea water, banana water etc.
- Rule: Used water from Wuzu and Ghusl (ablution and bathing) can be used to clean impurities (this water is clean for cleaning but cannot be re-used to perform ablution or bathing).

Method of cleaning solid impurities

- Rule: If impurity can be cleaned with saliva, then this method can be used. Such as, if a breast fed child vomited onto the breast, then drank milk again and the impurity was cleaned off, then the breast will be clean [Qazi Khan etc.].
- Rule: Impurity cannot be cleaned with soup, milk, oil, because these liquids will not make the impurity go away.
- Rule: If the impurity is thick, such as faeces, dung, blood etc. then there is no rule on how many times it should be washed, if it takes just once to wash it clean then this is sufficient, however, if it takes four or five times to clean then this must be done. If the impurity is cleaned off the first time it is Mustahhab to clean it three times.

The order on the colour or smell remaining after cleaning

- Rule: If the impurity is cleaned off but there is still some smell, colour or a sign left, then it is important to clean this also. However, if it is very difficult to get rid of it's existence, then washing it three times will be sufficient, it is not necessary to wash it with soap, acid or hot water [Alamgiri, Maniya etc.]. If you put on an impure colour or impure henna on you body or clothes, then it is necessary to wash as many times as it takes for clean water to run off from it, it is not necessary for the colour to disappear [Alamgiri, Maniya etc.].

Method of cleaning liquid impurities

- Rule: If you prepared saffron or some other die to colour your clothes and a child urinated in it or some other impurity dropped in it, then if you coloured the clothing with this, then wash it three times and it will become clean.
- Rule: If impure oil got on your clothes or body, then wash it three times and it will become clean. If there is still the stickiness of the oil remaining, then it is not necessary to use soap or hot water to make it clean. However, if fat from a dead animal got on your clothes or body then until the stickiness goes, the body or clothing will not become clean [Muniya, Bahar-e-Shariat].
- Rule: If blood got on a knife or inside an animal's head and then this knife or animal's head was put into a fire and the blood was burnt, then both the knife and the head will become clean [Maniya, Bazazia].

Squeezing and it's limit

If the impurity is a liquid, then to wash it three times and also adequately squeeze the clothing three times will clean the item. To squeeze it adequately means that every person squeezes the item to their own strength and ability, so that if the item was squeezed again more drops would not fall. If you think of the clothing and do not squeeze it adequately, then the item will not become clean [Alamgiri, Qazi khan].

- Rule: If the person who has washed the clothing squeezed it adequately, then another person came who had more strength than the first person and squeezes the clothing and more drops fall, then the item is still considered clean because the first person washed it not the second person as the second person's strength is not taken into account, however, if the second person washed it and only squeezed it with the same strength as the first person, then the item is not clean.
- Rule: After squeezing the first two times it is better to also clean the hands and after squeezing the third time, both the clothing and hands are clean. If the clothing is still wet that even half a drop of water falls, then both the clothing and hands are unclean.
- Rule: If clothing was washed the first and second time and the hands were not washed after this and the water drops from the hands fall on a clean part of the clothing, then the clean part will become impure. If after this, the clothing is wet after washing it the first time, then it must be washed twice, and if it gets wet after washing it twice with drops of water from the hand, then it must be washed once more and squeezed and if a clean part of clothing gets wet after the first wash and squeeze then it must be washed and squeezed twice more and if it gets wet after squeezing it twice then washing it once more and squeezing it will get the clothing clean.
- Rule: Clothing is washed three times and is squeezed adequately three times and now it does not have any drops of water falling from it, then it is hung and some more water drops, this water is clean. If the clothing was not squeezed adequately and water dropped, then the water is not clean. The order for a milk drinking boy or girl is the same and that is if their urine got on clothing or the body then to wash it three times is necessary and only then will the clothing or body become clean [Alamgiri etc.].

Method of cleaning items that cannot be squeezed

- Rule: The items that cannot be squeezed such as a leather table cloth, shoes, pans etc. should be washed and left to drip, and after all the water has dripped repeat the process again and then repeat it again for the third time and it will become clean. The same rule applies to clothing which is very fragile and would tear if squeezed.

Method of cleaning steel, copper and glassware products

- Rule: If there are items where impurities do not dissolve in them, such as, glassware, dishes made from clay or pans or steel or copper etc. or items of metal etc. can be washed three times and they will become clean, it is not necessary to leave them between washes to drip dry.
- Rule: It is better to scour impure dishes with soil.
- Rule: If there is cooked leather and it gets an impurity on it, then if you can squeeze it, do so and if this is not possible then washing and leaving to drip dry between washes for three washes will get it clean [Alamgiri, Qazi khan].

- Rule: Items of metal such as a knife, dagger, sword etc. which do not have a colour on them nor any design on the metal can be wiped clean if an impurity gets on them, and in this' situation if there is no difference to the impurity meaning either solid or liquid, such as silver, gold, or a small pot or false or proper metal, then all these items can be wiped clean, if however, there is a design on them or has rust on them then they must be washed, they will not become clean by wiping them.

Method of cleaning a mirror etc.

- Rule: Items' such as a mirror, all items of glass, pots of glass, glazed pots, polished wood so as long as they are not porous can be cleaned by wiping them down properly so that no remains of impurities exist on them.
- Rule: If the ground becomes dry and there was impurity and that has now disappeared then it is clean but you cannot perform Tayammum with it, however, you can pray Namaz on it [Alamgiri etc.].
- Rule: If an items has been cleaned by drying or shaking and then gets wet again (with water) it will not become unclean again [Bazaziya}.

Method of cleaning hide

- Rule: Except for pigskin all other types of hide become clean by making them up, whether it is cleaned with salty water or some other medicine or is just dried in the sun or wing or dust and all it's dripping and smell has gone, then in both situations the skin will become clean. You can pray Namaz on this [Hidaya, Shareh Waqaya, Alamgiri etc].
- Rule: Except for the pig if any other animal whether Haram or Halal is slaughtered by saying 'Bismilla..' then it's meat and skin is clean. You can pray Namaz while having the meat on your possession and you can pray Namaz on the skin. However, a Haram animal after being slaughtered will not become Halal but will stay Haram, there is a difference between the meat being clean and the meat being Halal. Look, soil is clean and can be used to clean something, but unless it is vital to save your life it is Haram to eat [Maniya, Hadiya etc.].
- Rule: Lead and tin become clean when melted [Alamgiri].

Method of cleaning honey

- Rule: If honey becomes impure then the method of cleaning it is to add the same amount of water as honey and then to heat it until all the water burns out, perform this method three times and the honey will become clean.

Method of cleaning oil and butler

The method of cleaning oil if it becomes impure is to perform the same process as for the honey. There is also another method and that is to add the same amount of water as the oil and stir it well, then take out the oil and throw away the water, repeat this three times and the oil will become clean [Muniya, Alamgiri]. If butter or lard become impure then use one of the methods as above and the butter or lard will become clean.

- Rule: If a piece of cloth is made up of two ply and if one ply gets an impurity on it, then if they are sown together, Namaz is not allowed on the other ply and if they are not sown together, then Namaz is allowed.

- Rule: If a plank of wood gets an impurity on one side of it and is so large that it can be joined in size, then you can turn it over and pray on the other side of it [Muniya]. The ground that has been plastered with dung, whether the dung has dried Namaz cannot be prayed on it, however, if it has dried and a large cloth is put on it then you can pray Namaz on the cloth.

How are trees or walls. Herb roots, bricks cleaned ?

- Rule: All trees, grass and bricks made from ground roots are clean when they dry up. If the bricks are not made from ground roots then it is necessary to wash it otherwise it will not be clean. Also if a tree or grass is cut before it becomes dry then it is also necessary to wash it for cleanliness [Alamgiri].

ISTINJA - WASHING OR CLEANING THE PRIVATE PARTS

Respects of Istinja

- Rule:When performing excretion or urination or when washing, do not face towards Qibla nor have the Qibla behind you. Whether you are in the home or in a field, and if you do have your face or rear pointing towards the Qibla then change direction as soon as you remember as this may then be forgiven [Fatahul Qadir].
- Rule: To have a child facing Qibla is Makrooh and the person making the child urinate is responsible for this and he will be given the sins [Alamgiri]. When performing excretion or urination do not have your face or rear pointing towards the sun or moon. In the same text it is not allowed to urinate against the wind or in any place where drops of urine would spray on you.
- Rule: To go for urination or excretion without covering your head is not allowed and also to take with you anything that has 'Allah' or his beloved 'Prophet's name' on it or any Wall's name on it, is also not allowed [Alamgiri etc.].

The method of istinja and the prayer before it

When you go to perform urination or excretion then it is Mustahhab (desirable) to pray this Dua outside the toilet "Bismillahi Allahumma inni A'oozoobika Minal Khuboothi Wal 'Khabaa'iss"

Then first put your left foot inside the toilet room and when you get near the toilet then remove the clothing from the body but do not remove more than necessary. Then separate the feet and sit down and give weight to your left foot and sit quietly with your head lowered and relieve yourself. When you have relieved yourself, then men should shake their penis slowly from left to right, back and fourth so that all the drops of urine come out. Then you should clean it with a dhela (handful of soil or sand etc.) and then before standing fully upright pull up your clothing. Then step out of the toilet first with your right foot and when you have come outside the toilet, pray this Dua;

"Ghufranakal Hamdo Lillahil Lazi Ath'haba Anni Mayoo Thi'nee Wa Amsaka Alla Ma Yan'fa'ni"

Dua for entering the washroom

Then go into the washroom after praying this Dua;

"Bismilla'hil Azueem Wa Bihamdihi Wah Hamdo Lillahi Alaa Deenil Islami Allahumaj AIni Minatawwa Beena Wajaini Minal Mutat'tah'hireenalazina La Khawfun Alaihim Walahum Yahzanoon"

Firstly wash your hands three times, then pour the water with your right hand and wash with your left hand, and keep the can of water upright so that the water does not splash. Then first of all wash the front parts and then wash the rear part (anus). When washing the rear put pressure on with your breath and put a Dhela and wash the part thoroughly so that after washing there is no smell remaining on your hand. Then with a clean cloth dry the area and if you do not have a cloth then continue wiping the are until no water is left dripping, and if you are doubtful then shake the water off with a hand towel. Then after leaving the washroom pray this Dua;

" Alhamdolilla Hillazee Ja'alaI'Ma'a Tahooraw Wal Islama Nooraw WaQa'idaw Wadaleelan ilallahi Ta'ala Wa'ilaa Jannaatin Na'eem Allahumma Hassin Farji Wa Tahhir Qalbi Wa Mahiss Junubi"

- Rule: When impurity comes out of the front or the rear, it is Sunnat to clean with a Dhela. If it is washed only with water it is still allowed, but it is Mustahhab to first clean it with a Dhela then wash it with water. Cleaning with a Dhela is allowed when the impurity is not spread more than a Dirham in size, and if it is spread more than a Dirham then it is compulsory to wash it with water, however, it is still Sunnat to use a Dhela first.

Difference in winter and Summer for using a Dhela

After excretion, for a male, the Mustahhab method of using a Dhela in Summer is to use the first Dhela starting from the front and then taking it to the rear. The second one starting at the rear then taking it to the front and finally the third Dhela from the front taking it to the rear. In the winter start the first Dhela from the rear and then take it to the front, second vice-versa and third the same as the first.

- Rule: Women in every season, should use the first Dhela from front to rear, second from rear to front and the third from front to rear again [Qazi Khan, Alarngiri].
- Rule: If you cannot gain complete cleanliness by using three Dhelas then use five, seven , nine, meaning in odd numbers.
- Rule: After performing urination, if you feel that another drop of urine will come, then it is Wajib for you to perform 'Istibrao' meaning after urination to perform some act that would force the urine left inside, to come out. Istibrao is done by swaying, or to hit your feet hard on the floor, or to come down from a high place to a low place or climb up from a low to a high place, or it can be done by crossing your legs over and putting on pressure, or it can be done by clearing your throat or lying on your left side. Istibrao should be performed until you are confident that no more drops will come out. The order of Istibrao is really for males, women should wait a little while after urination then perform cleanliness.
- Rule: Stones, rocks, torn piece of cloth are the items that should be used for a Dhela, you can use these without any problem to clean.
- Rule: It is not allowed to use (writing) paper to perform Istinja whether it has something written on it or not.
- Rule: If a man's hand is disabled then his wife should perform Istinja for him, and if a woman's hand is disabled then her husband should perform Istinja for her. If you

are not married and your hand is disabled then you should not use another relation such as son, daughter, brother, sister, in fact in this situation Istinja can be missed.

Leftover water from wuzu

- Rule: You should not use the leftover water from Wuzu for the purpose of washing.

Leftover water from washing

- Rule: The leftover water from washing should not be thrown away, but should be used for something else as it is clean and also can be used to perform Wuzu.

Namaz

After ensuring that your belief and faith is correct, the biggest obligation of all obligations is Namaz. There has been many messages in the Quran and Hadith in relation to the importance of Namaz. Whoever does not believe it as an Obligatory aspect i.e. Farz is a Kafir. and those who do not pray it are great sinners and will be thrown into hell in the after life, also in the event of an Islamic leadership, the king should execute those who do not pray Namaz.

Rule: At what age should children be taught Namaz ?

- When a child reaches the age of seven he should be shown how to pray Namaz. When the child reaches the age of ten. they should be made to pray via use of beatings. Before we show you the way in which Namaz should be prayed, we will first of all show you the six conditions/qualifiers that must be performed, otherwise the Namaz will not begin.

These are known as the 'Shara'it-e-Namaz and are as follows

1. Cleanliness
2. The covering of the body
3. Time
4. Facing Qibia
5. Intention
6. The call to start Namaz (Takbeer-e-Tahrima)

The first qualification is cleanliness. This means that the person praying Namaz (which will now be referred to as Namazee) must have their body, clothing and the place where Namaz is going to be performed, clean from impurities such as urine, stools, blood, alcohol. dung, animal excretion, etc. Also the Namazee must not be without bathing or ablution.

The second qualification is covering of the body. This means that the male's body must be covered from the navel upto and including the knees. The female's body must be completely covered except for the face, the hands below and including the wrists and feet below and including the ankles.

The third qualification is time. This means that whatever time is allocated to a particular Namaz, that Namaz is prayed. For example, the Fajr Namaz is prayed from the break of dawn to before sunrise. Zohar Namaz is prayed after midday to the time when there are two shadows to everything except for the original shadow (mid afternoon). Asr Namaz is prayed from when there are two shadows until sunset. Maghrib Namaz is prayed after sunset to when the natural light disappears. Isha Namaz is prayed after the natural light has disappeared until before the break of dawn.

The fourth qualification is the facing towards Qibla. This means to face towards the Holy Ka'aba (in Makkah).

The fifth qualification is intention. This means that whatever Namaz is being prayed for whatever time i.e. Ada, Qaza. Farz, Sunnat,Nafl etc. to make a firm intention in the heart

for that Namaz.

The sixth qualification is Takbeer-e-Tahrima. This means to say Allah-o-Akbar and start the Namaz. This is the last qualification and once said the Namaz begins. If you then say something to someone or eat something or drink something or perform any action which is against Namaz then the Namaz will break. The first five qualifications must remain from when the Takbeer-e-Tahrima is said, to until the Namaz is completed, otherwise the Namaz will not count.

SECOND QUALIFICATION ON NAMAZ - SATRE-AURAT - COVERING OF THE BODY

It is compulsory to cover the body, meaning how much of the body in Namaz should be covered at least.

- Rule: For males, from below the naval to below the knees is compulsory, that it is covered, it is not compulsory to cover the naval, but the knees must be covered.
- Rule: For women who are not slaves nor have any restriction of Shariat on them, it is compulsory for them to cover all their body except the face, hands upto the wrists and feet upto the ankles. It is also compulsory for women to cover the hair hanging from their heads, their necks and their collars (throats).
- Rule: If a woman has worn a very thin veil over her head that the hair's shininess can be seen then the Namaz will not count.
- Rule: For a female servant/slave the whole of the stomach, back, both sides and from the navel to the knees is all aurat (parts that need covering).
- Rule: In all the parts that are compulsory to cover if one part was uncovered and was less than a quarter, then the Namaz will count. If it is a quarter in size and is recovered immediately, then the Namaz will count. If the part was uncovered for one 'Rukun' meaning the time you could say Subhanallah three times or was uncovered deliberately and whether it was covered again immediately, the Namaz will not count.

Parts of Aurat in a Male

Rule: There are nine parts of the body which are aurat for a male.

1. The penis
2. Both testicles
3. Posterior
4. The right hip
5. The left hip
6. The right thigh (upto and including the knee)
7. The left thigh (upto and including the knee)
8. From below the naval upto the male organ and upto both sides of the body inclusive.
9. The area between the testicles upto the posterior is a single aurat.

The aurats that have been counted above are all one part each, meaning if less than a quarter of each part became uncovered, the Namaz would count.

- Rule: If some parts of the aurats became uncovered but were all less than a quarter, however, when added together the size would be more than a quarter of the smallest part that has been uncovered, then the Namaz will not count. For example, if a ninth

of a thigh was uncovered, a ninth of hip and a ninth of a penis was uncovered then the size added together is more than a quarter of the penis, the Namaz will not count [Alamgiri, Radd-ul-Mohtar].

- Rule: At the start of the Namaz if one quarter of a part is left uncovered and you say Allah-o-Akbar, the Namaz will not start [Radd-ul-Mohtar].

Aurat parts for a woman

- Rule: For women who are not slaves, except for the five parts mentioned above (face, both hands upto the wrists and both feet upto the ankles) all the body is aurat. This is split into thirty parts of the body. The same rule applies in Namaz (as mentioned above) if a quarter became uncovered for each part.

1. The head, meaning from the top of the head upto the start of the neck.
2. The hair that hangs down
3. The right ear
4. The left ear
5. The neck (and throat)
6. The right shoulder
7. The left shoulder
8. The top right arm including the elbow
9. The top left arm including the elbow
10. The bottom right arm (below the elbow upto and including the wrist)
11. The bottom left arm (below the elbow upto and including the wrist)
12. The chest, below the neck/throat to the breasts
13. Back of the right hand
14. Back of the left hand
15. The right breast
16. The left breast
17. The stomach, meaning from below the breasts upto and including the navel
18. The upper back, meaning the other side of the chest
19. Both armpits upto the lower back
20. The right hip
21. The left hip
22. The vagina
23. The posterior
24. The right thigh upto and including the knees, the knee is not a separate part but is included
25. The left thigh upto and including the knees, the knee is not a separate part but is included
26. Below the naval upto the start of the pubic hair and the lower back, is all one aurat.
27. The right shin, from below the knee upto and including the ankle
28. The left shin, from below the knee upto and including the ankle.
29. The right base of the foot
30. The left base of the foot

Many Ulema have not included the back of the hands and the base of the feet as Aurat.

- Rule: Although the woman's face is not an Aurat, it is still forbidden to expose it to non permissible males (those a woman is not restricted to marry). Also it is forbidden for non permissible males to look at their face.

- Rule: If a male does not have clothing that is allowed, i.e. he only has silk to cover his body, then it is obligatory for him to cover his body with the silk cloth and can pray Namaz with it on, however, if a male has other material available then it is Haram for a male to wear silk, and if a Namaz is prayed with silk on, then it will become Makrooh-e-Tahrimi.
- Rule: If a naked person can obtain access to a table or floor cloth, then they must cover themselves with this and pray Namaz, and also if they can use leaves or straw to cover themselves, then they must do this [Alamgiri].
- Rule: If someone has no clothes or material, then they should pray Namaz seated and perform Rukoo and prostration (Sijdah) by actions [Hidaya, Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If another person has material or clothing and the naked person feels sure that the person will lend it to them, then it is necessary to ask for the material [Radd-ul-Mohtar].
- Rule: If you only have impure clothes and there is no way of cleaning them, then pray with the impure clothes, do not pray naked [Hidaya].
- Rule: If there isn't enough clothing to cover the whole of the body but you can only cover some parts, then it is necessary that you do this and cover the private parts (vagina and posterior) first. And if there is only enough to cover one private part, then cover one of the two.
- Rule: If by praying Namaz whilst standing, one quarter of an aurat becomes uncovered, then pray Namaz whilst seated [Durr-e-Mukhtar, Radd-ul-Mohtar].

THIRD QUALIFICATION OF NAMAZ - TIME

Time of Fajr

From the break of dawn upto the first ray of sunrise. The break of dawn (Subah Sadiq) is a light which is seen before sunrise from the east and generally gets more lighter and eventually is spread completely across and then it becomes daylight. As soon as this light of the break of dawn is seen, the time of sehri for fasting finishes and the time of Fajr Namaz begins. Before this light a seam of whiteness is seen in the middle of the sky from east to west, and underneath it the whole is area is black. The break of dawn comes from underneath this and spread across to the north and south and gets lighter. The whiteness disappears when the light of dawn starts spreading. The long whiteness is known as Subah Kazab and the time of Fajr does not begin with this [Qazi Khan, Bahar-e-Shariat].
(The time of Subah Sadiq is dependent upon the town and country you are in. It is advisable to get the time from the observatory).

- Rule: For the time of Fajr Namaz wait until the break of dawn starts spreading and it's light can be seen, and the finishing of Sehri and the end of Isha Namaz time is as soon as the break of dawn starts, meaning pray the Fajr Namaz at least after the light of the break of dawn can be seen and end the Sehri and the time of Isha once the break of dawn occurs [Alamgiri].

Time of Zohr

From Zawal, meaning midday until everything has except for it's original shadow a double shadow. For example, there was a shadow in the afternoon of an item the size of four fingers and the item is actually eight fingers in size, the time of Zohr will not finish until the size of the shadow gets to twenty fingers in length.

The original shadow is the shadow which occurs exactly at midday. This is when the sun

reaches exactly middle of the sky and the distance of east and west is exactly the same. When the sun moves from this position slightly to the east, the time of Zohr begins. The recognition of the sun moving is by digging a stick upright into the ground, and then the shadow continues to reduce until it cannot reduce anymore, this is exactly the time of midday and is known as the original shadow, when the shadow starts growing again the time of Zohr has begun because the sun has moved. The time of Jum'a is the same as the time of Zohr.

Time of Asr
As soon as the time of Zohr finishes, the time for Asr begins. Depending upon the city and country, the length of Asr varies. The length of the time of Asr is also dependent on the time of the season, i.e. autumn, summer etc.

Time of Maghrib
As soon as the sun sets until the dusk (Shafaq) disappears. Dusk is the twilight that is seen after the redness of the sun has gone and is spread like the whiteness of dawn from east then from north to south [Hidaya, Alamgiri, Khanya]. In the UK the length of Maghrib is usually approximately a minimum of one hour and fifteen minutes and a maximum of one and a half hours. The length of the time of Maghrib is exactly the same as the time length of Fajr for that day.

Time of isha
As soon as the twilight of dusk disappears the time of Isha begins until the break of dawn. As well as the twilight of dusk, there is also a twilight seen after this from north to south but the time of Isha has begun and the time of Maghrib has ended.

Time of Witr
The time of Witr is the same as the time of Isha. However, Witr cannot be prayed before the Farz Namaz of Isha, as the sequencing is obligatory. If the Namaz of Witr is prayed purposely before the Farz Namaz of Isha, then the Witr will not count and will have to be prayed again after the Farz Namaz of Isha. However, if the Witr Namaz is prayed before Isha by mistake or you have realised that you prayed the Isha Namaz without Wuzu and prayed the Witr Namaz with Wuzu, then it is accepted [Durr-e-Mukhtar, Alamgiri].

- Rule: In those countries where the time of Isha does not come, then the Qaza of Isha and Witr should be prayed [Bahar-e-Shariat].

MUSTAHHAB TIMES OF NAMAZ

In Fajr, delaying is Mustahhab (Preferred). Meaning when there is good light then start the Namaz. Also Mustahhab time is that you can pray approx. forty to sixty verses of the Quran in a clear and distinct manner (tarteel), and after performing Salaam there is enough time left that if there was a fault you could repeat your Wuzu and pray the Namaz again with forty or sixty verses in a clear and concise manner. To delay so much that there is doubt that the sun will rise is Makrooh disliked) [Qazi Khan etc.].

- Rule: For women it is always Mustahhab to pray Fajr at the beginning time and the rest of the Namaz's prayed after the Jamaat of the males has completed.
- Rule: In winter, early Zohr is Mustahhab. In the warm weather it is Mustahhab to pray the Namaz late, whether it is prayed alone or with Jamaat. However, in the warm weather, if the Jamaat of Zohr is early, you are not allowed to miss it for the

Mustahhab time. The season of autumn is in the same rule as winter, and the season of spring is in the same rule as summer [Radd-ul-Mohtar, Alamgiri].

- Rule: The Mustahhab time of .Jum'a is the same as the Mustahhab time of Zohar [Hijr].
- Rule: It is Mustahhab to delay the Asr Namaz, but not too much that the rays of the sun go deep red and that without any difficulty you could look directly at the sun, the sun shining is not a form of deep redness [Alamgiri, Radd-ul-Mohtar, etc.].
- Rule: It is better that you pray Zohr in the first half of it's time and Asr in the second half of it's time [Guniya].
- Rule: From study it is apparent that the sun goes deep red twenty minutes before sunset and also it stays red twenty minutes after sun rise, which is the out of Namaz time [Fatawa-e-Razvia, Bahar-e-Shariat].
- Rule: The clarification of delay is that the time allocated for a particular Namaz is split into two and then the Namaz is prayed in the second half.
- Rule: Except for the days when there is cloud, it is always Mustahhab to start Maghrib quickly, and if the time is delayed for more than the length of two rakats then it is Makrooh-e-Tanzihi. Also, if without cause i.e. travelling, illness etc. if the time is delayed so that the stars can be seen clearly, then this is Makrooh-e-Tahrimi [Durr-e-Mukhtar, Alamgiri, Fatawa-e-Razvia].
- Rule: It is Mustahhab for Isha Namaz to be delayed for the first third part of the time. It is allowed to be prayed after the first half of the time, meaning you prayed the Farz rakats just before the first half ended, and if delayed that the night had dropped (meaning after the first half) then this it is Makrooh as it would mean missing Jamaat (congregation) [Hijr, Durr-e-Mukhtar, Khaniya].
- Rule: It is Makrooh to sleep before praying the Isha Namaz.
- Rule: After the Isha prayer it is Makrooh to talk about worldly things, to tell or listen to stories or fables. It is not Makrooh to talk about important issues, to pray the Quran, or recite Allah's name, or talk about religious regulations, stories of pious people and to talk with guests. Also, from the break of dawn upto sunrise all types of conversation except to recite the name of Allah is Makrooh [Durr-e-Mukhtar, Radd-ul-Mohtar] .
- Rule: If a person is confident in waking up then they should pray the Witr Namaz in the last part of the night just before sleeping and then if they wake up in the last part of the night they should pray Tahajjud, they cannot pray Witr again [Qazi Khan].
- Rule: During dull and cloudy days it is Mustahhab to pray the Asr and Isha Namaz early and Mustahhab to delay the other Namaz's.

MAKROOH TIMES

Whilst the sun is rising or setting and at exactly midday, at these three times no Namaz is allowed. No Farz, no Wajib, no Nafl, no Ada (current), no Qaza (expired), no Sijdah-e-Tilawat, No Sijdah-e-Sahoo. However, if the Asr Namaz for that day is still left to pray then you must pray whether the sun is setting, but to delay it for so long is Haram.

- Rule: Sun rising means from the edge of the sun has come out until all the sun has risen and the eye sparkles when directly looked at, and this is a total time of twenty minutes.
- Rule: Midday (Nisfun Nihar) means starting from exact mid sun until the sun drops.
- Rule: The way of finding the exact time of Nisfun Nihar (midday) is to find out what day today the break of dawn started and what time the sun set. Split this into two halves and as soon as the first half ends this is the time of midday until the sun

starts dropping from this position. For example, say today the 20th March the sun sets at 6pm and also risen at 6am, then the afternoon started at 12pm, and in the morning at 4.30am the dawn broke. Therefore a total of thirteen and a half hours have occurred between the break of dawn until sun set and so half of it would be six and three quarter hours. The time therefore of Nisfun Nihar would be quarter past eleven and the sun would drop at 12pm, and hence a total of three quarters of one hour would be the total time when any Namaz would not be allowed.
Notice: The above calculation is a mere example and therefore the time would differ according to the city and country and the season. Different destinations and different times show that the approximate time would be twenty minutes and in all places the above method of calculation should be used.

- Rule: If a funeral (Janaza) is brought at the three prohibited times there is no harm in praying the Namaz. It is not allowed to be prayed when all the funeral is ready beforehand and the time is delayed until the prohibited times start [Alamgiri, Radd-ul-Mohtar].
- Rule: During these three prohibited times it is better if you do not pray the Holy Quran, it is better to recite the name of Allah or pray the Durood Sharif continuously [Alamgiri].

Twelve times where Nafl Namaz is prohibited

- Rule: It is prohibited to pray Nafl (voluntary) Namaz during twelve times;

1. From the break of dawn (SubahSadiq) until the sun has risen fully, no Nafl Namaz is allowed, except for the two Sunnats of Fajr. From when the call to establish rows for congregation (Iqamat for Jamaat) until the Farz Namaz finishes, to pray a Nafl or Sunnat is Makrooh-e-Tahrimi. However, if the Jamaat of Fajr Namaz has stood up and you know that if you pray the Sunnats of Fajr you will still be able to join the Jamaat, whether it be in the last sitting position (Qaida) it is necessary that you pray the Sunnats separately from the rows of Jamaat and then join the Jamaat. If you know that if you start the Sunnats you will not be able to join the Jamaat but you still start the Sunnats then this is forbidden and a sin. Except for the Fajr Namaz it is not allowed to start a Sunnat even if you know you can join the Jamaat late when the Iqamat has been called for Jamaat.
2. After praying the Asr Namaz until the sun goes red, no Nafl Namaz is allowed.
3. As soon as the sun has set, until the Farz Namaz of Maghrib has been prayed, no Nafl is allowed [Alamgiri, Durr-e-Mukhtar].
4. From the time in Juma the Imam stands up from his place to perform Khutba until the Farz Namaz of Juma has been prayed, no Nafl is allowed.
5. At the start of a Khutba (sermon), whether it is the first or the second for Juma, Eids, Kusoof, Istisqa, Hajj or Nikah, all Namaz is not allowed even Qaza Namaz. However, for Sahib-e-Tarteeb (those who have less than five Namaz of Qaza due) at the start of the Juma Khutba, Qaza Namaz is allowed [Durr-e-Mukhtar].
   Rule:If the Sunnats of Juma have been started and the Imam stands up for the Khutba, then complete all four rakats of the Sunnat.
6. All Nafl Namaz is Makrooh before the Eid Namaz, whether you pray them at home, Mosque or Eid hall [Alamgiri, Durr-e-Mukhtar.
7. It is Makrooh to pray Nafl Namaz after the Eid Namaz if they are prayed at the Eid hall or Mosque, if they are prayed back at home then they are not Makrooh [Alamgiri, Durr-e-Mukhtar].
8. At Arafat, where the Zohr and Asr is prayed together, to pray a Nafl or Sunnat in between them or after them is Makrooh.

9. In Muzdalifa, where the Maghrib and Isha is prayed joined together, it is Makrooh to pray any Sunnat or Nafl Namaz in between the two Namaz, it is not Makrooh to pray Nafl after the Isha Jamaat [Alamgiri, Durr-e-Mukhtar].
10. If the time of Farz is very short, then all Nafl and Sunnats including those of Fajr and Zohr are Makrooh.
11. Whatever aspect that makes the heart distract and you can relieve yourself from that aspect then all Namaz are Makrooh until you relieve yourself, for example, urination or excretion or to release wind, then these must be performed otherwise the Namaz will be Makrooh. However, if the time is going to finish, then pray the Namaz and repeat it afterwards. Also if food is presented in front of you and you have the desire to eat, or any other aspect that you may have a desire for without which you will not be able to gain satisfaction, then it is necessary to fulfil this desire before praying Namaz otherwise the Namaz will be Makrooh [Durr-e-Mukhtar, etc.].
    Rule: The whole of the time of Fajr and Zohr is okay from the start to the end, meaning these Namaz can be prayed at any point within the time and is not Makrooh [Bararaiq, Bahar-e-Shariat].

AZAAN

The reward of Azaan

It is stated in the Hadiths that there is a lot of reward for Azaan. In one Hadith it is stated that the Holy Prophet has said "If people knew how much reward there is for calling the Azaan, then there would be fighting of swords between them [Riwa'al Hamd].

- Rule: Azaan is a rule in Islam, meaning if within a city, town or village people stopped calling the Azaan, then the king within the Islamic country can force the people to call the Azaan and if they do not co-operate, then he can order to have them executed [Qazi].

Method of Azaan, it's contents and it's place

Position yourself outside the Mosque (Jamaat Khana), at a high place, facing the Qibla and place the index finger in each ear or cover the ears with the palm of the hand and say 'Allaho Akbar, Allaho Akbar', Both of these statements make one submission. Then pause slightly and repeat again 'Allaho Akbar, Allaho Akbar' again both of these statements make one submission. Then state twice 'Ashhadu An La ilaha illallah', then state twice 'Ashhadu Anna Muhammadanr Rasoolullah'. Then turn the head to the right and state twice 'Hayya Alas Salaah', then turn your head to the left and state twice 'Hayya Alal Falaah'. The turn your head back towards facing the Qibla and say once 'Allaho Akbar, Allaho Akbar' , this again is one submission, and then finally say once 'La illaha illallah'.

The Prayer after Azaan

After the Azaan has finished, first pray the Durood Sharif and then pray this Dua;

"Allahumma Rabba Hazihid Da'awat'it Ta'ammati, Wassalaatil Qa'ammati, Aati Sayyadi Muhammadanit Wasilata Wal Fadilata Wad Darajatar Rafi'ata, Wab'as'u Muqamam

Mahmoodanil Lazi Wa'ad'tahu Warzukna Shafa'atahu Yawmal Qiyamati Innaka La Tukhiiful Mi'ad."

- Rule: In the Fajr Azaan, after 'Hayya Alal Falah', also say twice 'Assalatu Khairum Minan Naum' as this is Mustahhab, and if it is not said, the Azaan will still count.

Which Namaz does Azaan have to be called for ?

- Rule: All the five Farz Namaz and also the Juma Namaz where one goes into the Mosque to pray with Jamaat and is prayed at a designated time, then Azaan for these Namaz is Sunnat-e-Maukida, and it's order is the same a Wajib. If the Azaan is not called, then all the people from there are sinners [Khaniya, Hindiya, Radd-ul-Mohtar, Durr-e-Mukhtar].

The order of Azaan

- Rule: If someone prayed Namaz at home and did not call the Azaan then there is no problem because the Azaan at Mosque would be sufficient for them. Although it is Mustahhab to say the Azaan at home.

When should the Azaan be called ?

- Rule: The Azaan must be called after the time for that Namaz has begun. If the Azaan is called before the time then it must be called again [Qazi Khan, Shareh Waqiya, Alamgiri].

The time of Azaan

- Rule: The time of Azaan is the same as the time of Namaz.
- Rule: The Mustahhab time of Azaan is the same as the Mustahhab time of Namaz.
- Rule: If the Azaan was called at the start of the time and the Namaz is prayed towards the end of the time, then the Sunnat will still be fulfilled [Durr -e-Mukhtar,` Radd-ul-Mohtar].

Which Namaz do not contain Azaan

- Rule: Except for the Farz Namaz's no other Namaz have the Azaan, Not for Witr, or Janaza, or Eid, or Nazr (gift) Namaz, or Sunun (Sunnats) Namaz, or Rawatib (traditional), or Tarawih (in Ramadan), or Istisqa (Thankful) Namaz, or Chast (mid morning), or Kusoof or Khusoof (sun or moon eclipse) or any Nafl Namaz [Alamgiri].

Order of Azaan for women

- Rule: It is Makrooh-e-Tahrimi for women to call the Azaan or Iqamat. If a woman calls the Azaan she will be sinful and the Azaan will have to be called again.
- Rule: It is Makrooh to call the Azaan for women Namaz Ada or Qaza, whether it is prayed by Jamaat, although their Jamaat itself is Makrooh [Durr-e-Mukhtar, etc.].

Order of Azaan for children, blind people and those without Wuzu

- Rule: The Azaan called by a clever child, or a blind person or a person without Wuzu is correct and permissible [Durr-e-Mukhtar]. However, to call the Azaan without Wuzu is Makrooh [Miraqul Falah].
- Rule: In a city during the day of Juma (Friday) it is not allowed to call the Azaan for Zohr Namaz, whether some people are excluded from praying Juma and are praying Zohr because the Juma Namaz is not Farz for them [Durr-e-Mukhtar, Radd-ul-Mohtar].

Who should say the Azaan?

- Rule: Azaan should be called by those who recognise the times of Namaz. Those who do not recognise the Namaz times are not worthy of gaining the reward of Azaan which is gained by the Moazzin [Bazazia, Alamgiri, Gunya, Qazi Khan].
- Rule: It is better.if the Imam calls the Azaan [Alamgiri].

Order of talking between the Azaan

- Rule: To talk between the Azaan is prohibited and if you (the Moazzin) did talk the Azaan has to be called again [Sagiri].
- Rule: To perform a melody in Azaan is Haram, meaning to sing the words like a song. Or to change the words of the Azaan such as to change the word Allah to Aallah due to melody, or to change the word Akbar to Aakbar or Akbaar is all Haram. However, it is better to call the Azaan in a sweet sharp voice [Hindiya, Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If the Azaan is called quietly then it should be called again and the first Jamaat is not the Jamaat-e-Ula (main Jamaat) [Qazi Khan].
- Rule: The Azaan should be called in a minaret or outside the Mosque, do not call the Azaan in the mosque (Jamaat hall) [Khulasa, Alamgiri, Qazi Khan].

The Answer to Azaan

When you hear the Azaan, it is an order to reply to it. Meaning whatever the Moazzin calls reply back with the same submission. The only exceptions are 'Hayya Alas Salah' and 'Hayya Alal Falaah', where the reply is 'La Hawla Wala Quwwata ilia billah' and it is better if you say both (meaning Hayya......and La Hawla....). Also add this onto it 'Mashaa Allaho Kaana Wamaalam Yashaa Lam Yakun' [Radd-ul-Mohtar, Alamgiri].

- Rule: In reply to 'Assalato Khairum Minan Naum' the following is to be said 'Sadaqta Wa Bararta Wa bil Haqqi Nataqta'[Durr-e-Mukhtar, Radd-ul-Mohtar].

Stop all activities whilst the Azaan is being called

- Rule: A Junub should also reply to the Azaan. It is not Wajib for a women in her period or is still bleeding after childbirth, or a person who is listening to the Khutba, or a person praying the Namaz of Janaza, or a person engaged in sexual intercourse, or a person in the toilet to reply to the Azaan.
- Rule: Whilst the Azaan is being called, all talking, greeting and reply to the greeting should be stopped, and all other occupations should be stopped, even the recitation of the Quran should be stopped if the sound of Azaan is heard and it should be listened and replied. The same rule applies for Iqamat [Durr-e-Mukhtar, Alamgiri].

Those who remain busy in chit chat, their death will be bad (Muazallah) [Fatawa-e-Razvia].

- Rule: If you are walking and you hear the sound of Azaan, then stop and listen to it and reply back [Alamgiri, Bazazia].

IQAMAT

- Rule: Iqamat is the same example as the Azaan. Meaning the rules that have been stated for Azaan also apply to Iqamat. However, there are a few differences. In Iqamat after 'Hayya Alal Falah' also say 'Qad Qamatis Salaat' twice. Also the volume whilst calling the Iqamat should be loud but not as loud as the volume for Azaan. But loud enough so that all that are present can hear. The words andsubmissions of Iqamat should be said quickly without a pause and you should not cover your ears with your hands or put your fingers into your ears when calling the Iqamat, you should not say 'Assalatu Khairum Minan Naum' in the morning Iqamat and the Iqamat should be called from inside the Mosque (Jamaat Khana).
- Rule: If the Imam called the Iqamat, then when he calls 'Qad Qamatis Salaat', he should move forward to the Imam prayer mat (Musalla) [Durr-e-Mukhtar, Radd-ul-Mohtar, Guniya, Alamgiri, etc.].
- Rule: In Iqamat, you should also move your head when saying 'Hayya Alas Salah and Hayya Alal Falah' to the right and left [Durr-e-Mukhtar].
- Rule: If someone came during the time of Iqamat, then for them to stand and wait is Makrooh, they should sit down and wait until the Mukabbir (caller of Iqamat) says 'Hayya Alal Falah' then stand up. The same rule applies to those already present, they should not stand until 'Hayya Alal Falah' is called and the same order also applies to the Imam [Alamgiri]. Nowadays there has been a tradition made that until the Imam does not stand on his prayer mat the Iqamat is not started, this is against the Sunnat.
- Rule: It is not allowed to speak between the Iqamat as it is not allowed to speak between the Azaan. Also for the Mo'azzin or Mukabbir, if some greeted them with a Salaam, then they should not reply and it is not Wajib for them to reply after the Azaan has finished [Alamgiri].

The Answer to Iqamat

- Rule: It is Mustahhab to reply to the Iqamat. The reply to Iqamat is similar to the reply to the Azaan. The difference is, when replying to 'Qad Qamatis Salat' say 'Aqa Mahallahu Wa Ada Maha Wa Ja'alna Min Saalihi Ahliha Ah'Ya'aw Wa'Amawata' [Bahar-e-Shariat].
- Rule: If you did not reply to the Azaan and there has not been a long duration gone by, then reply to it now [Durr-e-Mukhtar].
- Rule: To reply to the Azaan of Khutba with the tongue is not allowed for the Muqtadees [Durr-e-Mukhtar].
- Rule: It is Sunnat to leave a gap between the Azaan and the Iqamat, to call the Iqamat immediately after the Azaan is Makrooh. The gap for Maghrib is equivalent to three small verses or one big verse (Ayats). For the rest of the Namaz's the gap should be long enough so that those who regularly attend Jamaat arrive, however, it should not be left so long that the time of Namaz lapses.

FOURTH QUALIFICATION OF NAMAZ FACING TOWARDS THE QIBLA

The fourth qualifier for Namaz is facing towards the Qibla, meaning to point your face towards the Holy Ka'aba.

- Rule: The Namaz is prayed for Allah and the Sijdah is performed for Him not for the Ka'aba. If Moazallah (Allah forgive) someone performed the Sijdah for the Ka'aba then he will be a grave sinner as it is Haram, and if someone performed the Sijdah with the intention of worshipping the Ka'aba then he is an open infidel as it is infidelity to worship someone other than Allah [Durr-e-Mukhtar, Ifaadat Zawia].

In what situations can Namaz be performed without facing the Qibia ?

- Rule: If a person is helpless in facing towards the Qibia, then he should pray facing whichever direction he can, and he would not have to repeat the Namaz [Muniya].
- Rule: If in illness you have not got enough strength to turn yourself towards the Ka'aba and there is no-one there that can assist you. then face whichever way you can and pray the Namaz and it will count.
- Rule: If someone has their or someone else's goods in their possession and knows that if he faced towards the Qibia the goods would be stolen, then he can face whichever way suits him.
- Rule: A person is travelling on a vicious animal and it is not letting him down or he can come down but without assistance he cannot mount the animal again, or is an old person and will not be able to mount the animal again and there is no-one who can assist him, then whichever direction he prays the Namaz will count.
- Rule: If a person has the power to stop an animal or vehicle he is travelling in, then he should do this and if possible make it face towards the Ka'aba otherwise pray whichever way it is possible. If by stopping the animal the group he is travelling with will go out of sight, then he does not have to stop, pray whilst moving [Radd-ul-Mohtar].
- Rule: If you are praying Namaz on a moving boat, then when saying the Takbeer-e-Tahrima face towards the Qibia and as the boat moves, you move keeping yourself pointing towards the Qibla [Guniya].

What if you don't know the direction of the Qibla ?

- Rule: If you do not know the direction of the Qibia and there is no-one to show you, then think and wherever you think the Qibia is most likely to be pray Namaz that way, that is your Qibia [Muniya].
- Rule: If you prayed Namaz by making an assumption and then later you found out that this was not the right direction for the Qibia, your Namaz will count and there is no need to repeat the Namaz [Muniya].
- Rule: You are praying Namaz whilst making an assumption of the Qibia and whether you are in Sijdah and you change your mind or have been told of your mistake then it is compulsory that you change direction immediately, and the Namaz that has been prayed so far is not wrong, and similarly if you prayed four rakats in four directions then this is allowed. If you did not change direction immediately and there was a delay equivalent to saying 'Subhanallah' three times, then the Namaz will not count [Durr-e-Mukhtar, Radd-ul-Mohtar]. A Namazee turned his chest deliberately away from the Qibia whilst praying Namaz and whether he turned it back immediately, the Namaz will break. If he turned his chest away from the Qibia by mistake and turned back without the delay time of saying 'Subhanallah' three times then the Namaz will count [Muniya, Hijr].

- Rule: If only the face turned away from the Qibia, then it is Wajib that it is turned back immediately and the Namaz will not break, however, to turn it away from the Qibia deliberately is Makrooh [Muniya].

FIFTH QUALIFICATION OF NAMAZ NIYYAT - INTENTION

Intention of Namaz

Niyyat means a fixed intention of the heart, only a thought or an indication is not sufficient until there is a fixed intention.

- Rule: It is better if you say it with your tongue, for example, "I make the intention of two rakat Farz of Fajar Namaz, for Allah Ta'ala, my face towards the Ka'aba, Allah-o-Akbar."
- Rule: It is necessary for a Muqtadee to make the intention of following the Imam.
- Rule: If the Imam did not make the intention of being the Imam, the Namaz of the Muqtadees will count but they will not gain the reward of Jamaat (congregation) prayers.
- Rule: The intention of Namaz-e-Janaza (funeral) is like this; "I make the intention of Namaz, for Allah Ta'ala, and prayer for this dead person, Allah-o-Akbar.

How to Pray Namaz

The method of praying Namaz is as follows;

With Wuzu, face towards the Qibla and stand so that there is a gap of four fingers between your feet.
Take each hand to each ear and touch the lobes of the ears with the thumbs and leave the rest of the fingers in their normal state, don't join them together or spread them apart.
Face the palms of the hands towards the Qibia and your sight is to look at the sijdah. Then make a firm intention in your heart as to which Namaz you are praying and while saying 'Allah-o-Akbar' lower your hands and join them below the naval. The way to join the hands is to have the palm of the right hand on top of the back of the left hand wrist, keep the middle three fingers straight and circle the left wrist with the thumb and the little finger firmly grasping the hand.
Then pray 'Sana' meaning Subhanakallah Humma Wa Bihamdika Wa Tabarakasmuka Wa Ta'ala Jadduka Wa Laa ila'ha Ghairuk" . Then pray Ta'awwuz meaning "A'oozu Billahi Minas Shaitaanir Rajeem" and then pray Tasmee'a meaning "Bismillah' ir'rahman'ir' Raheem" .
Then pray the whole of the 'Alhamdo' Surat and say 'Aameen' quietly. After this, pray any Surat or three ayats or one ayat which is equivalent to three small ayats.
Then whilst saying Allah-o-Akbar go into the Rukooh. Grasp the knees with the hands and spread your fingers over the knees. Keep your back straight and your head level with your back and make sure that you are not too far up or kneeling to low down and keep your sight on your feet and pray at least three times "Subhana Rabbi'al Azueem' and then pray this whilst standing up 'Sami Allahu Liman Hamidah' and if you are praying Namaz alone then also say 'Allahumma Rabbana Walakal Hamd' and then while saying Allah-o-Akbar go into the Sijdah.
The way to do this is to first put your knees on the ground, then put your hands at the side of the place where your are going to put your head and then place your head by first placing your nose on the ground and then your forehead and then press hard on your nose. Look towards your nose and keep your elbows up so that they don't touch the ground and leave a gap between your armpits and make sure that there is a gap between your thighs and your stomach. Place all your toes so that their tips are pointing towards the Qibla and their bases are flat on the ground. Keep your hands flat and have your fingers pointing towards the Qibla. Then pray at least three times 'Subhana Rabbi al A'ala'.
Then lift your head up while saying Allah-o-Akbar with first lifting your forehead then your nose then your face and then your hands. Keep your right foot upright and lay your left foot flat and sit on it firmly. Place your hands on your knees with the finger tips pointing towards the Qibla and the palm of your hands flat near your knees and the base of the .fingertips laid flat at the end of your kneecaps.
Then whilst saying 'Allah-o-Akbar' go back into the Sijdah and this is done in the same way as the first one. Then stand up by placing your hands on your knees and putting pressure on your knees and legs stand upright, don't put your hands on the ground to assist you to stand up. Now pray only 'Bismillah'ir' Rahmaan'ir' Raheem' and then Alhamdo and another Surat and as before perform Rukooh and Sijdah, and when getting up from the second Sijdah leave your right foot upright and lay your left foot flat and sit upright. And pray •AttahiyyaatuLillahi Was Salawato Wattayyibatu Assalamu Alaika Ayyuhannabi 'o 'Warahmatullahi Wabarka'tuhu Assalamu Alaina Wa'ala'Ibadillahis Sa'liheen, Ash'had'u'un La ilahaillallahu Wa Ash'hadu Anna MuhammadunAbd'uhu Wa Rasooluh', This is known as Tashahhud. When you are reaching La'ilaha make a circle in your right hand by joining the thumb with the middle finger and curl the small and it's adjacent finger with the middle finger and on the word La lift your index finger but don't move side to side and when you

reach 'illallahu' straighten your hand back to normal. Now if you have more than two Ra.kats to pray then stand back up and pray more Rakats, but for a Farz Namaz there is no need to join another Surat after Alhamdo and then continue and when you reach your last Qaidah (sitting position) pray Tashahhud and then pray the DuroodSharif called Durood-e-lbrahim'Allahumma Salleh Ala Sayyidina Muhammadin Wa'ala' Aale Sayyidina Muhammadin Kama Sallaiyta Ala Sayyidina Ibraheema Wa' Ala Aale Sayyidina Ibraheema InnakaHameedum Majeed -Allahumma Baarak Ala Sayyidina Muhammadin Wa' Ala Aale Sayyidina Muhammadin Kama Baarakta Ala Sayyidina Ibraheem Wa' Ala Aale Sayyidina Ibraheema Innaka Hameedum Majeed' After this pray'Allahumag Firii Wali Wale Dayya Wal Ustaad'e Wal Jamee'il Mu'mineena Wal Mu'meenat Wal Muslimeena Wal MuslimatAI'Ahya'eMinhum Wal Amwaat'e Innaka MujeebudDa'waatBirahmatikaYa Ar'hamarr'ahimeen' or pray another Dua-e-Ma'soor or pray 'Allahumma Rabbana Aatina Fid DuniyaHasanatawWafil Akhirati Hasanataw Wa QinaAzaabanNaar' Make sure you pray this by starting it with 'Allahumma' and then turn your head towards your right shoulder and say'Assalamu Alai'kumWarah'matullah' and then turn your head towards your left shoulder and repeat the same words again. The Namaz has now finished, so raise both your hands and pray any Dua for example'Allahumma Rabbana Aatina Fid Duniya Hasanataw Wafil Akhirati Hasanataw Wa Qina Azaaban Naar' then rub your hands over your face. This is the method for an Imam or a male praying Namaz on their own.
If however, you are a Muqtadee meaning praying in congregation (Jamaat) and behind an Imam then don't perform Qiraayat meaning don't pray 'Alhamdo' or a Surat, whether the Imam is praying loudly or quietly. Qiraayat is not allowed in any Namaz if it is being prayed behind an Imam.

If the Namazee is a female then at the Takbeer-e-Tahrima she should lift her hands only upto her shoulders and then place her left hand on her chest and the right hand on top of it. When performing Rukoo she should only bend a little so that her hands reach her knees and she should not put pressure on her knees and keep her fingers tightly together and not to straighten her back like males. When performing Sijdah she should crawl up and perform Sijdah so that the arms are joined with the sides, her stomach is joined with her thighs and her thighs are crawled up with her shins and her feet are pointing outwards and are flat. In Qaidah she should have both her feet pointing outwards towards the right and are flat. She should sit on her left buttock and keep her hands in the middle of her thighs.

Order of Farz, Wajib. Sunnat and Mustahhab

- Rule: In the above method some actions are Farz (obligatory) and therefore without performing these the Namaz will not count. Some actions are Wajib (necessary) and therefore to deliberately miss them is a sin and it would be necessary (Wajib) to repeat the Namaz and if they are missed by mistake then a 'Sijdah-e-Sahoo' would have to be performed at the end. Some are Sunnat-e-Maukida and therefore to make a habit of missing them is a sin and some are Mustahhab and therefore to perform will gain rewards and to miss will not be a sin.

Farz (Obligatory) actions within Namaz.
There are seven action within Namaz which are Farz.

1. Takbeer-e-Tahrima - meaning the first 'Allah-o-Akbar' (or any other word which would praise Allah) with which the Namaz begins
2. Qayaam - meaning to stand until the Farz Qiraayat is completed
3. Qiraayat - meaning to pray at least one verse of the Holy Quran
4. Rukooh - meaning to bend so that that the hands reach the knees

5. Sujood - meaning the forehead to firmly touch the ground and at least one toe on each foot to be flat so that it's base is touching the ground and it's tip is pointing towards the Qibla
6. Qaidah-e-Akhira - meaning when the Rakats of Namaz are completed to sit for the duration it takes so the whole of Tashahhud (attahiyat) is completed until 'Rusooluh'
7. Khurooj-e-Be'sunoo'i - meaning after Qaida-e-Akhira to perform an action with which the Namaz would finish, whether that be Salaam or to talk etc.

Wajib (necessary) actions of Namaz

1. In the Takbeer-e-Tahrima to use the words 'Allah-o-Akbar'
2. To pray the whole of the Alhamdo Surat.
3. To join a Surat or a verse (Ayat) with Alhamdo. In a Farz Namaz for the first two Rakats and in a Witr, Sunnat or Nafl Namaz in all the Rakats.
4. To pray before a Surat or Ayat, Alhamdo only once.
5. Between Alhamdo and a Surat not to pray anything except 'Ameen' and Bismillah...
6. To go into Rukoo as soon as the Qirayat is finished
7. To perform one Sijdah after another without having a delayed gap in between. The gap must be no longer than one Rukun, meaning the time it takes someone to say 'Subhanallah' three times.
8. To pause between actions, meaning a gap of time the same as at least one 'Subhanallah' between, Rukoo, Sijdah, Quwmaa and Jalsa.
9. Quwma, meaning to stand up straight after Rukoo.
10. When in Sijdah to have three toes on each foot to be flat on the ground and the tips pointing towards Qibla.
11. Jalsa, meaning to sit up between two Sijdahs.
12. Qaidah-e-Oola, meaning to sit after two Rakats, if there are more than two Rakats in a Namaz, whether it is a Nafl (voluntary) Namaz.
13. Not to continue further after Tashahhud (Attahiyat) in a Qaida-e-Oola for a Farz, Witr or Sunnat-e-Maukida Namaz.
14. To pray in both Qaidahs the whole of Tashahhud, in fact, regardless of the amount of Qaidahs in a Namaz to pray the whole of Tashahhud is Wajib, if even one word is left out of Attahiytat the Wajib will be missed.
15. In both Salaams the word Salaam is Wajib, the words 'Alaikum Wa Rahmutullah' is not Wajib.
16. To pray 'Dua-e-Kunoot' in Witr.
17. To perform Takbeer in Kunoot (To lift your hands and say Allah-o-Akbar in the third Rakat of Witr).
18. All six Takbeers of Eid Namaz's
19. The Takbeers in the second rakat of the Eid Namaz and for them to have the words 'Allah-o-Akbar.
20. The Imam to pray loudly in all Jehri Namaz and to pray quietly in non Jehri Namaz.
21. To pray all Farz and Wajib Namaz in routine (meaning to pray the before one's before and the after one's after).
22. To perform only one Rukoo in every rakat and to perform only two Sijdahs.
23. Not to perform a Qaidah before two rakats and not to perform a Qaida in the third rakat if it is a four rakat Namaz.
24. To perform Sijdah-e-Tilawat if an Ayat of Sijdah has been prayed.
25. If there has been an error (where a Wajib has been missed) then to perform Sijdah-e-Sahoo.

26. There is not to be a gap between two Farz actions or between two Wajib actions or a Farz and a Wajib actions longer than the time it takes to say Subhanallah three times.
27. If the Imam is performing Qirayat, whether it is loudly or quietly, the Muqtadees to remain completely quiet.
28. Except for Qirayat, to follow the Imam in all the Wajibs.

Except for the Farz and Wajib actions, all the rest of the actions mentioned in the method of Namaz are either Sunnat or Mustahhab. They should not be missed on purpose, and if they are missed by mistake then it is not necessary to perform Sijdah-e-Sahoo nor repeat the Namaz. If however, you repeated the Namaz then it is a good thing. If you want to know in more detail the Sunnats and Mustahhabs then read either Bahar-e-Shariat or Fatawa-e-Razvia as we have not gone into small detail or abbreviated them here.

SIJDAH-E-SAHOO (SIJDAH FOR FAULTS)

When is Sijdah-e-Sahoo Wajib ?

If those actions which are Wajib in Namaz are not performed by mistake, it is Wajib to perform the Sijdah-e-Sahoo to substitute for the action missed.

Method of performing Sijdah-e-Sahoo

The method of performing this is, when you finish praying 'Attahiyat' in the last Qaidah, turn your head to the right side and then perform two Sijdahs. Then repeat Attahiyat from the beginning and complete your Namaz.

- Rule: If a Wajib was missed and you did not perform Sijdah-e-Sahoo and completed the Namaz, then it is Wajib to repeat the Namaz.
- Rule: If a Wajib is missed deliberately, then a to perform A Sijdah-e-Sahoo would not be sufficient and therefore it would be Wajib to repeat the Namaz.
- Rule: If any of the Farz actions are missed, then Sijdah-e-Sahoo would not compensate for them and therefore the Namaz would not count and to repeat the Namaz would be Farz.

Actions which by missing would not make the Sijdah-e-Sahoo necessary

- Rule: If the actions that are Sunnat or Mustahhab in Namaz are missed, such as 'Ta'awwuz', 'Tasmee' 'Aameen', 'Takbeers when changing positions', the Tasbeehs (of Rukoo and Sijdahs) etc. it would not make it necessary to perform Sijdah-e-Sahoo, but the Namaz would count [Radd-ul-Mohtar, Guniya]. However, it would be better to repeat it.
- Rule: If in one Namaz many Wajibs are missed, then the two Sijdahs of Sahoo would be sufficient, it is not necessary to perform a Sijdah-e-Sahoo for ever Wajib missed [Radd-ul-Mohtar, etc.]
- Rule: If in the first Qaidah after Attahiyat and before standing for the third Rakat there is a delay as long as it takes to pray 'Allahumma Salleh Ala Muhammad' then Sijdah-e-Sahoo would become Wajib, whether you pray it or not, in both situations Sijdah-e-Sahoo would become Wajib [Durr-e-Mukhtar, Radd-ul-Mohtar].

- Rule: If in Qiraayat etc at any time you start thinking and there is a gap long enough for someone to say 'Subhanallah' three times, then it would be Wajib to perform Sijdah-e-Sahoo [Radd-ul-Mohtar].
- Rule: If you think that the first Qaidah is the last Qaidah in a four Rakat Namaz and you perform Salaam and then remember and stand back up and complete the Namaz, you must perform Sijdah-e-Sahoo [Alamgiri]. If you forgot to pause between actions then Sijdah-e-Sahoo is Wajib [Hindiya].
- Rule: If a Muqtadee had not completed his 'Attahiyat' and the Imam stood up for the third Rakat, it is necessary for the Muqtadee to complete his Attahiyat, regardless of whether it causes delay.
- Rule: If the Muqtadee had not prayed the Tasbeeh in a Rukoo or Sijdah three times and the Imam finished it and stood up, it is necessary for the Muqtadee to stand up and not finish the rest of the Tasbeeh.
- Rule: If a person forgot to perform the first Qaidah and had only started standing up then he should sit back down and pray Attahiyat and the Namaz would be correct, a Sijdah-e-Sahoo would not be necessary. If however, he stood up and was close to completely, standing then he should stand up and continue with his Namaz and then finally perform Sijdah-e-Sahoo [Shareh Waqia, Hidaaya etc].
- Rule: If you forgot to perform the last Qaidah and had not yet performed a Sijdah for the extra Rakat then you should sit back down straight away and perform Sijdah-e-Sahoo. If however, you had performed a Sijdah for the extra Rakat then except for Maghrib you can join another Rakat and they would all count as Nafl, because your Farz Namaz would not count and therefore you would have to pray the Farz Namaz again [Hidaaya, Shareh Waqia].
- Rule: If in the last Qaidah you prayed Tasahhud and then stood back up, you should sit straight back down and as long as you have not performed a Sijdah for the extra Rakat, perform Sijdah-e-Sahoo and complete the Namaz. If however, you had performed a Sijdah in the extra Rakat, your Farz Namaz would still count but you should join another Rakat and then finally perform Sijdah-e-Sahoo and the last two Rakats would count as Nafl, but do not join another Rakat for Maghrib Namaz [Hidaaya, Shareh Waqia].
- Rule: If in one Rakat you performed three Sijdahs or two Rukoos or forgot the first Qaidah then perform Sijdah-e-Sahoo.
- Rule: Order of sequence is obligatory in Qayam, Rukoo, Sijdah and the last Qaidah, therefore, if you performed Rukoo before you performed Qayam then this Rukoo is cancelled and will not count and if then you perform another Rukoo your Namaz will count otherwise it will not, and in the same way if you performed Sijdah before the Rukoo and then performed the Rukoo and performed the Sijdah again after, then the Namaz will count.
- Rule: Order of sequence is obligatory in Qayam, Rukoo, Sijdah and the last Qaidah meaning, whichever is due first should be done first and whichever is due next should be done next and if this done in,the wrong order then the Namaz will not count, for example, if someone performed Sijdah before Rukoo then their Namaz will not count, however, if they performed the Sijdah again after the Rukoo meaning they rectified the order of sequence again then their Namaz will count. In the same way if they perform Rukoo before Qayam and they stand back in Qayam and then perform another Rukoo, their Namaz will count Radd-ul-Mohtar]. All Qaidahs in Nafl Namaz are counted as last Qaidahs and therefore are obligatory and so if you forgot to perform a Qaidah and stood up then as long as you have not performed a Sijdah for the new Rakat sit back down and perform the Qaidah and then perform Sijdah-e-Sahoo and all Wajib Namaz are in the same rule as Farz Namaz, therefore if you forget to perform the first Qaidah of Witr then the same rule applies as a Farz Namaz [Durr-e-Mukhtar].

- Rule: If you forgot to pray Dua-e-Kunoot or forgot to perform the Takbeer-e-Kunoot then perform Sijdah-e-Sahoo. Takbeer-e-Kunoot means the Takbeer that is said in the third Rakat after Qirat and is done and then Dua-e-Kunoot is prayed [Alamgiri].

What is Sijdah-e-Tilaawat ?
This is the Sijdah which becomes Wajib when you pray or hear the verse of Sijdah. It's proper method is to stand up and say Allaho-o-Akbar whilst going into Sijdah and then pray at least three times 'Subhana Rabbi'al Aalaa' and then whilst saying Allah-o-Akbar stand back up.

Sunnat way of performing Sijdah-e-Tilaawat

- Rule:It is Sunnat to say at the start and the end 'Allaho Akbar in Sijdah-e-Tilaawat. Also to start the Sijdah by standing up and then going into Sijdah and then standing back up again after. Both of these Qayams are Mustahhab [Alamgiri, Durr-e-Mukhtar etc.].
- Rule: If you did not stand before or after the Sijdah or you did not say Allaho Akbar or you did not pray 'Subhana Rabbi'al Aala', then even still your Sijdah will count. However, you should not miss Takbeer as it is against procedure [Alamgiri, Radd-ul-Mohtar].
- Rule: When saying the Takbeer you do not lift your hands nor do you pray Attahiyat or perform Salaam in Sijdah-e-Tilaawat [Tanweer, Bahar].
- Rule: In total there are fourteen verses in the Holy Quran whereby whichever verse is prayed, both the person praying and listening will have to perform Sijdah-e-Tilaawat as it will become Wajib on them, whether the person listening made the intention of listening to it or not.

Conditions of Sijdah-e-Tilaawat

- Rule:Except for Tahrimah, for Sijdah-e-Tilaawat all conditions remain which are in Namaz; For example, cleanliness, facing the Qibla, intention, time and covering of the body, also if you have access to water then you cannot perform Sijdah-e-Tilaawat by performing Tayammum [Durr-e-Mukhtar, etc.].
- Rule: If a verse of Sijdah is prayed in Namaz then it is Wajib in Namaz to perform Sijdah and if you delay it you will become a sinner. Delay means to pray three or more verses after the verse of Sijdah. If however, the verse is at the end of a Surat then there is no harm in finishing the Surat. For example, in Surah Inshaaq if you performed Sijdah at the end of the Surat there is no harm.
- Rule: If you prayed a verse of Sijdah in Namaz, but forgot to perform Sijdah then as long as you are in the state of Namaz (whether you have performed Salaam) then you must perform it and then perform Sijdah-e-Sahoo [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If you pray a verse of Sijdah in Namaz then to perform it's Sijdah is Wajib in Namaz not outside, and if you deliberately missed it then you are a sinner and repentance is necessary as long as you did not perform Rukooh and Sijdah straight after the verse.
- Rule: It is not a condition to state in the intention for Sijdah-e-Tilaawat the verse that you have prayed, but a general intention of Sijdah-e-Tilaawat is sufficient.
- Rule: Whatever action breaks the Namaz also breaks the Sijdah-e-Tilaawat, such as releasing wind, talking, laughing in Namaz etc. [Durr-e-Mukhtar etc.].

- Rule: Sijdah does not become Wajib by writing a vferse of Sijdah or just by looking at the verse [Qazi Khan, Alamgiri, Guniya].
- Rule: For the Sijdah to become Wajib, it is not necessary to pray the whole verse of Sijdah, but by just praying the word that makes the verse Wajib and a joining word before or after the word would make the Sijdah Wajib [Durr-e-Mukhtar].
- Rule: By spelling or listening to the spelling of a verse of Sijdah does not make the Sijdah Wajib [Alamgiri, Durr-e-Mukhtar, Qazi Khan].
- Rule: If the translation of a verse of Sijdah is prayed or is heard then the Sijdah becomes Wajib, whether the person who heard it understands it or not that it was the translation of a verse of Sijdah. However, it is important that if he does not know then he should be informed. If however, the verse is prayed and then the translation is prayed then it is not necessary to inform him that this was the translation [Qazi Khan, Alamgiri, Bahar].
- Rule: If a woman on her menstrual cycle of bleeding after childbirth has prayed the verse then the Sijdah won't be necessary for her to perform the Sijdah, however those who have heard her pray the verse will have to perform the Sijdah as it is still Wajib for them [Bahar].
- Rule: Just as it does not become Wajib for a woman on her menstrual cycle or bleeding after childbirth to perform a Sijdah, it also does not become Wajib for her if she hears the verse.
- Rule: If a person for whom it is obligatory to bathe has prayed the verse of Sijdah or heard the verse or a person who is not in Wuzu prays or hears it then it still becomes Wajib for them to perform a Sijdah.
- Rule: If a child prays a verse of Sijdah then it becomes Wajib for those who hear it but not for the child [Alamgiri etc.].
- Rule: If the Imam has prayed the verse of Sijdah but did not perform Sijdah, then the Muqtadee will also not perform Sijdah and continue following the Imam even though they might have heard the verse [Guniya]. Whenever the verse is prayed and for some reason the person praying or hearing do not perform the Sijdah then it is Mustahhab to pray "Sam'1 Na Wa Ata'na Gufranaka Rabbana Wa'ilaikal Masir [Radd-ul-Mohtar].
- Rule: To pray the whole Surat and to miss the verse of Sijdah is Makrooh-e-Tahrimi [Qazi Khan, Durr-e-Mukhtar].
- Rule: If in one Masjid one verse is repeated many times or heard many times then only one Sijdah is Wajib even if different people have prayed it. Also if you pray a verse and you hear the same verse from someone else, then again only one Sijdah will be Wajib [Durr-e-Mukhtar, Radd-ul-Mohtar].

Changing of an Assembly

- Rule: The assembly will not change by eating one or two bites, drinking one or two gulps, to stand, to walk one or two steps, to reply to a greeting, two talk a couple of words, to walk from one side of the house towards another side. If however, it is a large house with different rooms then the assembly will change by walking from one side to another. If you are in a boat and it is moving then the assembly will not change. The same rule should also apply to a train. If you are on an animal and the animal is moving then the assembly is changing but if you are praying Namaz on the animal then the assembly has not changed. The assembly will change if you eat three bites, or drink three gulps, or walking three steps in a field, to speak three words, to lie down and go to sleep, to pray the Nikah and to buy or sell something [Alamgiri, Durr-e-Mukhtar, Guniya, Bahar].

- Rule: To sit in an assembly for a while and to pray the Quran or perform a lecture or listen to a lecture or have a religious discussion does not change the assembly, but if between the same verse being repeated you perform a worldly action like to sew a piece of cloth etc. then the assembly will change [Radd-ul-Mokhtar].
- Rule: If the person hearing the verse is paying attention and to perform the Sijdah would not be a strain on them then the verse should be prayed loudly otherwise it should be prayed quietly and if you are not sure whether they are paying attention or not then the verse should be prayed quietly [Radd-ul-Mohtar, Bahar-e-Shariat].
- Rule: During the state of illness, theSildah can be performed by action only, also if you are on a journey and in a vehicle then you can perform action only to fulfil the Sijdah and it will count [Alamgiri etc.].

Sijdah-e-Shukr (Thanks)
The method of performing a Sijdah for thanking Allah is the same as for Sijdah-e-Tilaawat.

- Rule: It is Mustahhab to perform the Sijdah-e-Shukr if a child is born, or you have gained wealth, or you have found a lost item, or your illness has gone better, or you have returned from a journey safely or you have obtained a gift.

QIRAAYAT - MEANING TO PRAY THE HOLY QURAN

- Rule: Qiraayat should be so loud that if you are not deaf or there is no loud noise in the background, then you can hear what you are praying yourself and if it is not this loud then the Namaz will not count. In the same way all other situations that require verbal praying has the same rule, for example, slaughtering an animal and to say 'Bismillah Allaho Akbar', to give a divorce (Talaaq), to pray the verse of Sijdah that would make the Sijdah-e-Tilaawat Wajib, in all these situations the voice should be so loud that you can hear it yourself [Miraqul Falaah etc.].
- Rule: It is Wajib for the Imam to pray loudly (Johr) in the first two Farz Rakats of Fajr, Maghrib and Isha and for the Rakats of Ju'ma, Eids, Tarawih and the Witr for Ramadan. It is Wajib for the Imam to pray quietly (Ahista) in the third Rakat of Maghrib, the third and fourth Rakat of Isha and all the Rakats of Zohr and Asr.
- Rule: To pray loudly for the Imam means he prays loud enough that the people in the first row can hear and quietly means he can hear his voice himself.
- Rule: To pray loudly but only one or two people next to you can hear is not counted as Johr but is counted as Ahista [Durr-e-Mukhtar]. In the loud (Johri) Namaz a person praying on their own has got the choice of praying loudly or quietly, it is better to pray loudly.
- Rule: If a person praying on their own is praying a Qaza Namaz then it is Wajib to pray quietly in all Namaz [Durr-e-Mukhtar]. If a person was praying quietly and another person joined in then if it is a John Namaz then they must pray the rest loudly and it is not necessary to repeat the part he has prayed quietly.
- Rule: If you forgot to add a Surat and went into Rukoo and then remembered, you must stand back up and pray the Surat and then perform the Rukoo again and finally perform Sijdah-e-Sahoo, if you do not perform the Rukooh again then the Namaz will not count [Durr-e-Mukhtar].
- Rule: If you are not on a journey and you have enough time then it is Sunnat to pray 'Tawal-e-Mufassal' (long Surats) in Fajr and Zohr, 'Awsat-e-Mufassal' (medium Surats) in Asr and Isha and 'Qasaar-e-Mufassal' (short Surats) in Maghrib, whether you are an Imam or are praying on your own (Munfarid).

Surats which are Tawal, Awsat and Qasaar-e-Mufassal
Surats between Surah-e-Hijraat to Surah-e- Burooj are Tawal-e-Mufassal. Surats between Surah-e-Burooj to Surah Lamyakunallazi are known as Awsat-e-Mufassal and Surats from Lamyakun to the end are known as Qasaar-e-Mufassal.

- Rule: If there is no rush in a journey then it is Sunnat to pray Surah-e-Burooj or an equivalent size Surat in Fajr and Zohr and in Asr and Isha a shorter Surat than that and in Maghrib to pray the short Surats of Qasaar-e-Mufassal, if however, you are in a hurry then you can pray whatever is easier [Alamgiri]. During times of difficulty such as the time is going to go or you are afraid of a thief or scared of an enemy then you can pray whatever you wish whether you are on a journey or not and even if you cannot complete the Wajibs of the Namaz you are allowed to miss them also. For example, the time of Fajr is so short that you can only pray one verse each then do this [Durr-e-Mukhtar, Radd-ul-Mohtar] but after the Sun has risen repeat this Namaz [Bahar].
- Rule: Whilst praying the Sunnats of Fajr, there is a fear that the Jamaat for the Farz Namaz will be missed then you should only perform the Wajibs, you should miss Sana and Ta'awwuz and in Rukooh and Sijdah you should only pray the Tasbeeh once [Radd-ul-Mohtar].
- Rule: In Witr Namaz the Holy Prophet prayed 'Sabb-I-ismi Rabb'l'kal A'alaa' in the first Rakaat and 'QuI Yaa Ayyuhal Kaafiroon' in the second Rakaat and 'QuI Huwal Lah Ho Ahad in the third Rakaat. Therefore, as a gesture these Surats should be prayed and on occasions 'Inna Anzalna' instead of 'Sabb-I-Ismi'.
- Rule: It is Makrooh-e-Tahrimi to pray the Holy Quran backwards, for example, to pray 'QuI Yaa Ayyuhal Kafiroon' in the first Rakaat and 'Alam Tara Kaifa' in the second Rakaat is not allowed, however, if it is done by mistake then there is no harm.
- Rule: There is no harm in teaching the Para Amma backwards to children so that it is easy to learn [Radd-ul-Mohtar].
- Rule: If by mistake you prayed in the second Rakaat an earlier Surat than the first Rakaat, then whether it is only one word you have prayed you must continue, you are not allowed to stop and start another one. For example, in the first Rakaat you prayed 'QuI Yaa Ayyuhal Kaafiroon' and in the second Rakaat you started by mistake 'Alam Tara' then you must continue this Surat.

The Rule of Missing a Surat in Between

- Rule: To miss a Surat between two Surats is Makrooh. However, if the middle Surat is a larger Surat than the first one then this is allowed. For example, there is no harm in praying 'Inna Anzalna' after 'Watteena Wazzaytoona', however, you should not pray 'QuI Huwallah' after 'Iza Jaa'a' [Durr-e-Mukhtar].
- Rule: It is preferable if the Qiraayat in Farz Namaz in the first Rakaat is slightly longer than the second Rakaat and in Fajr the Qiraayat should be two thirds and one third in the second Rakaat [Alamgiri]. It is Sunnat in Jum'a and Eid Namaz to pray 'Sabb-l-lsmi' in the first Rakaat and 'Hal Ataaka' in the second Rakaat [Durr-e-Mukhtar, Radd-ul-Mohtaar].
- Rule: Pray equal size Surats in both Rakaats of Sunnat and Nafl Namaz [Muniya]. To pray the same Surat in both Rakaats in a Nafl Namaz or to repeat the same Surat many times in one Rakaat is perfectly allowed [Guniya].

To make a mistake in Qiraayat
The general rule here is that if a mistake is made and the whole meaning changes then the Namaz will break, otherwise not.

- Rule: If the reason of praying a different letter instead of the proper letter is because you cannot pray the proper letter then it is still necessary for you to try and pronounce correctly. However, if it is due to carelessness, like some of today's Hafiz and Alims do have the abilty but are careless and hence miss letters out then if the meaning of the verse changes then the Namaz will be void and all Namaz prayed like this will have to be made Qaza.

Action for those who cannot pronounce correctly
It is necessary for those people who cannot pronounce letters correctly to try day and night until they can. If they have the opportunity to pray Namaz behind those who can pronounce correctly then they should always do this. Or they can pray the verses which they can pronounce correctly, and if both options cannot be done then with effort their Namaz will count and people like them can pray behind people like this [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar-e-Shariat etc.].

- Rule: If someone prays 'Subhana Rabbi-al Azueem' as 'Subhana Rabbi-al-Ajeem' (or uses a zeh instead of a zoi) then their Namaz will break.

Praying the Holy Quran outside Namaz

- Rule: The Holy Quran should be prayed in a clear and concise manner. It should not be sung as this is not allowed but in fact should be taken care that the pronunciation is done accurately.
- Rule: It is better to pray the Quran by looking at it than off by heart [Alamgiri]. It is Mustahhab to perform Wuzu, face the Qibla, wear nice clothes and pray the Quran, and when starting to pray first of all say 'A'oozubillah..'as this is Wajib and when starting a Surat pray 'Bismillah..' as this is Sunnat otherwise if you are praying a Mustahhab verse and it is referring to Allah's self then to pray Bismillah after A'oozubillah is Maukidah. If you talk between praying a verse and your conversation is of a worldly nature then pray Bismillah again, and if it is of a religious nature such as replying to a Salaam, or answering to the Azaan, or saying 'Subhanallah' or praying the Kalima then there is no need to say A'oozubillah again [Guniya etc.].
- Rule: If you have started praying from Surah Baraat then pray both A'oozubillah and Bismillah. If however, Surah Baraat comes in the duration of you praying then continue and don't pray Bismilla. The commonly known statement that if you start with Surah Baraat there is still no need to pray A'oozobillah or Bismillah is wrong. The other statement that if Surah Baraat comes in the duration of you praying then pray A'oozubillah but not Bismillah is also wrong [Bahar-e-Shariat].
- Rule: It is not good to finish the whole Quran in less than three days [Alamgiri].
- Rule: When there is a Quran praying ceremony (Khatam) then it is better to pray 'QuI Huwallaho Ahad' three times.
- Rule: There is no harm in praying the Quran whilst lying down as long as the legs are folded and the mouth is open, also there is no harm in praying the Quran whilst walking and working as long as you are not distracted, otherwise it is Makrooh [Guniya].

- Rule: When the Holy Quran is prayed loudly in a gathering then it is obligatory for all present to listen if the reason for the gathering is to pray the Quran, otherwise if only one listens then it is sufficient regardless if the others are busy in their work [Guniya, Fatawa-e-Razvia, Bahar-e-Shariat].
- Rule: If all the people in the gathering pray the Quran loudly then this is Haram. Often in an Urs or Fatiha all the people pray the Quran loudly individually, this is Haram. If there are a few people in a gathering then all should pray quietly [Durr-e-Mukhtar, Bahar].
- Rule: It is not allowed to pray the Quran in town centres and where people are working because if people do not listen then the sin will be upon the person praying.
- Rule: If while praying the Quran a religious leader, Sultan, king, an Islamic scholar, a spiritual leader etc walk into the room then you are allowed to stop and stand up for respect [Guniya, Bahar-e-Shariat].
- Rule: If a person is praying the Quran incorrectly then it is Wajib for the person listening to correct them, but the condition is that there is no jealously or hatred in doing so [Guniya, Bahar].

Respecting the Quran

- Rule: It is better to pray the Holy Quran loudly as long as you do not disturb a person praying Namaz, or sleeping, or an ill person.
- Rule: It is not a good thing to write the Quran on walls or Mehrabs.
- Rule: It is very bad to learn the Quran off by heart and then forgetting it. Such a person will wake up blind and with leprosy on the day of judgement.
- Rule: You should not have your back towards the Holy Quran, or spread your legs around it, or raise your feet higher than it, or stand on a higher place whilst placing the Quran in a lower place.
- Rule: No book should be placed on top of the Quran whether it is a book of Fiqh or Hadith.
- Rule: If the Quran becomes very wet or torn and can no longer be used to pray from, then it should be wrapped and buried in a clean place, there should also be a coffin so that soil does not get on it.
- Rule: An old Quran which can no longer be of use should not be burnt but buried.
- Rule: A cloth should not be placed on top of the case that contains the Quran.
- Rule: If a person has left the Quran in their house for blessings and auspiciousness and does not pray it then there is no sin and because the intention is good one they will gain reward [Qazi Khan].

JAMAAT - CONGREGATIONAL PRAYERS

There has been a lot of emphasis given to Jamaat and it carries a lot of reward, upto the extent that a Namaz prayed with Jamaat gains reward twenty seven times more than a Namaz prayed on it's own.

- Rule: Jamaat is Wajib for males and to miss it even once without cause is a sin and should be punished and for those who make a habit of missing Jamaat is a wrongdoer (Fasiq) and his statement for witnessing cannot be accepted and should be severely punished. If his neighbours ignored the fact that he was missing Jamaat then they are also sinners.

What Namaz have the condition of Jamaat

- Rule: For Friday prayers (Ju'ma) and Eid prayers, Jamaat is a condition and without Jamaat the Namaz cannot be prayed.
- Rule: The Tarawih Namaz is Sunnat-e-Kifayya, meaning if some people within an area performed it then the rest will not be responsible and if no-one prayed it in an area then all will have done a bad thing and would be responsible.
- Rule: Jamaat in the Witr prayer during the month of Ramadan is Mustah'hab.
- Rule: Jamaat in Sunnat and Nafl Namaz is Makrooh and except for the month of Ramadan it is also Makrooh for Witr Namaz.
- Rule: If you are aware that if by washing the body parts three times in Wuzu, you will miss a Rakaat then it is better to only wash them once and obtain the Rakaat. If you are aware tnat by washing me vvuzu pans three times you will not miss a Rakaat but will miss the first Takbeer, then it is better to wash the parts three times [Sagiri, Bahar-e-Shariat].

Jamaat Thania (Duplicate Jamaat)

- Rule: If in an area there is a fixed Imam in a Masjid and after calling the Azaan and Iqamat and praying the Sunnats, the Imam has then lead the Jamaat prayers, then to pray that Namaz again standing a different Jamaat is Makrooh after calling the Azaan and Iqamat again. If however, the second Jamaat is prayed without calling another Azaan then there is no problem as long as it is prayed slightly away from the Mehrab. If the first Jamaat was prayed without an Azaan or with a quiet Azaan or by other non regular people then the Jamaat is to be called again and this second Jamaat is not Jamaat Thania. [Durr-e-Mukhtar, Radd-ul-Mohtar].

What Reasons allow the Jamaat to be missed
The following reasons can be used to miss Jamaat;

- Such an illness that it would be very difficult to go to the Masjid
- The weather is very cold or very cloudy, or very windy
- You have a bad urge of excretion, urination or releasing wind
- You are scared of an aggressor
- You are scared that you will miss your group
- You are blind or disabled
- You are so old that it is very difficult to go to the Masjid
- You are afraid that your possession or food will be destroyed
- A person who is poor and owes money and is scared of bumping into the lender
- You are looking after an ill person and if you leave them they will have difficulty or be afraid.

All the above are causes that allow you to miss Jamaat.

- Rule: Women are not allowed to attend any Jamaat, not day Namaz or night Namaz, or Ju'ma and Eid, whether she is young or old. The same rule applies for women attending lectures, i.e. they are not allowed to attend [Durr-e-Mukhtar, Bahar-e-Shariat].

Where does a single Muqtadee stand ?

- Rule: A single male Muqtadee, even if he is a child should stand on the right side and parallel with the Imam. It is Makrooh for a single Muqtadee to stand on the Imam's left side or behind the Imam. If there are two Muqtadees then they should stand behind the Imam, to parallel with the Imam is Makrooh-e-Tanzihi. If there are more than two Muqtadees then it is Makrooh-e-Tahrimi to stand parallel with the Imam [Durr-e-Mukhtar, Bahar].
- Rule: One person was stood in line with the Imam and then another person joined then the Imam should go forward and the person that has joined the Jamaat should stand next to the present Muqtadee. If the Imam cannot move forward then the Muqtadee should move backwards or the person arriving should pull the Muqtadee back. However, if there is only one Muqtadee then it is better if he comes back and if there are two then it is better for the Imam to move forward.

Rules of rows (Saff)

- Rule: The rows should be straight and the people should be joined alongside each other. There should not be a gap between the people in the rows and the shoulders should be level and the Imam should be in the front in the middle.
- Rule: It is better to stand in the first row and close to the Imam. However, in the Jananza Namaz it is better to stand in the back row [Durr-e-Mukhtar].
- Rule: The Muqtadee should say the Takbeer-e-Tahrima with or after the Imam. If the Muqtadee said the word 'Allah' with the Imam and 'Akbar' before the Imam then the Namaz will not count.
- Rule: The Muqtadee cannot pray the Quran in any Namaz, not when the Imam prays loudly or quietly because whatever the Imam prays is sufficient for the Muqtadee [Hidaya etc.].
- Rule: The method of the rows should be that the men are in the front rows then children then finally women [Hidaya].

Who should be an Imam

- Rule: The Imam should be a Muslim, male, sane, adult, one who knows the rules of Namaz and a non Ma'zoor (has no illness). If any of the above six aspects are not found in an Imam then the Namaz will not count behind him.
- Rule: A Ma'zoor can be an Imam for a Muqtadee with the same illness or worse than him. If however, both the Imam and Muqtadee have two different types of illnesses e.g. one suffers from releasing wind and the other suffers from droplets of urine then they cannot be an Imam for each other [Alamgiri, Radd-ul-Mohtar].
- Rule: A person with a Tayammum can be an Imam for a person with Wuzu [Hidaya etc.].
- Rule: A person who performs Masah over leather socks can be an Imam for a person washing his feet [Hidaya etc.].
- Rule: A person who prays Namaz standing can be a Muqtadee of a person who prays Namaz seated [Hidaya].
- Rule: The person who performs Rukooh and Sijdah cannot pray behind a person who prays by action only. However, if both the Imam and Muqtadee both pray with actions then they can follow each other [Hidaya].
- Rule: A naked person cannot be an Imam of a person who has covered his body [Hidaya].

Order of praying Namaz behind a person with wrong beliefs

- Rule: To make a 'Bud Mazhab' (person with corrupt beliefs) whose beliefs have not gone outside the folds of Islam is a sin and to pray a Namaz behind him would make the Namaz Makrooh-e-Tahrimi and would have to be repeated as this would be Wajib[Durr-e-Mukhtar, Radd-ul-Mohtar, Alamgiri].
- Rule: To make an open wrongdoer (Fasiq Mu'allin) such as a person who drinks alcohol, gambles, adulterer, one who obtains interest money, one who tells tales etc. those who commit big sins, an Imam, is a sin and Namaz behind them would be Makrooh-e-Tahrimi and to repeat it is Wajib [Radd-ul-Mohtar, Durr-e-Mukhtar etc.]
- Rule: Namaz behind those Bad Mazhabs whose beliefs have gone out of the folds of Islam such as Rafzi (Shiites, even if they only reject the fact of Hazrat Abubakr being a Caliph or a Sahhabi or insults the Shaikhain Radi Allahu Ta'ala Anhuma), those who believe that the Holy Quran is man made, those who reject intercession or seeing Allah on the day of Hashr, or the punishment of the grave or the existence of Kiraman Katibeen cannot be performed [Alamgiri, Guniya]. There is an even more stricter rule for those who call themselves Muslims and in fact follow the Sunnats but still reject some important beliefs of religion (Zarooriyat-e-Deen) and insult Allah and His Prophet or at least believe those who insult, as Muslims, Namaz behind these is also strictly not allowed.

Order of following a Fasiq

- Rule: Following a Fasiq is not allowed except for in Ju'ma as there is no alternative for this, for all the other Namaz if there are other Masjids in the vicinity then you should go. If there are other nearby Masjids that perform the Ju'ma prayers then you should go there [Guniya, Radd-ul-Mohtar, Fatahul Qadir].
- Rule: For the Imam to stand alone on a higher platform is Makrooh, if the height is small then it is Makrooh Tanzihi and if the height is big the it is Makrooh Tahrimi [Durr-e-Mukhtar etc.].
- Rule: If the Imam is in a lower place and the Muqtadees in a higher place it is also Makrooh and is against the Sunnat [Durr-e-Mukhtar etc.].
- Rule: A Masbook when finishing his missed Rakaats is a Munfarid.

Definition of a Masbook

- Rule: A Masbook is a person who joins in the Jamaat after the Imam has already prayed some Rakaats and he remains with the Jamaat until the end of the Namaz. A Munfarid is a person who prays the Namaz on his own and not with Jamaat.
- Rule: If a Masbook found the Imam in the Qaidah then he should say Allah-o-Akbar whilst standing and fold his arms like normal in Qayam, then whilst saying Allah-o-Akbar he should sit down and join the Jamaat. If he found them in Rukooh or Sijdah then he should do the same by performing Takbeer-e-Tahrima and then join the Jamaat, if he however, when saying the first Allah-o-Akbar bent too far as if already nearly in Rukooh then the Namaz will not count.
- Rule: If the Masbook joined the Jamaat for a four Rakaat Namaz in the fourth Rakaat then after the Imam has performed the Salaam he should stand up. He should then pray one Rakaat with Alhamdo and Surat and then sit down and perform Qaidah. He should then stand back up and pray Alhamdo and Surat in this Rakaat and then perform another Rakaat and pray only Alhamdo and then go into the last Qaidah and finish the Namaz as normal. Meaning except for the Qaidah with the Imam he should

perform two more Qaidahs. The first Qaidah after one Rakaat and the other Qaidah after two more Rakaats.

- Rule: If the Masbook joins the Maghrib Namaz in the third Rakaat then after the Imam has performed Salaam he should stand up and pray Alhamdo and a Surat and then perform Rukooh and Sijdah and then perform a Qaidah. He should then stand back up and pray another Rakaat with Alhamdo and Surat and then perform Rukooh and Sijdah and the perform the last Qaidah and finish the Namaz as normal. Meaning in both the Rakaats you have to perform a Qaidah and you have to pray Alhamdo and a Surat so in this situation there has been two additional Qaidahs after the Imam has performed Salaam.
- Rule: If you have joined the Jamaat in the third Rakaat of a four Rakaat Namaz then after the Imam has performed Salaam pray two Rakaats and in both Rakaats you must pray Alhamdo and a Surat and then perform the last Qaidah and finish the Namaz as usual.
- Rule: If you have missed the first Rakaat then after the Imam has performed Salaam pray one Rakaat with Alhamdo and a Surat.
- Rule: If the Masbook performed Salaam with the Imam by mistake then the Namaz has not gone but he should stand up and finish his Namaz. If he performed the Salaam with the Imam exactly at the same time then no Sijdah-e-Sahoo is necessary and if the Salaam was performed after the Imaam then Sijdah-e-Sahoo is Wajib. If the Masbook performed the Salaam with the Imam deliberately thinking that he should perform the Salaam with the Imam then his Namaz has become void and he will have to pray it again [Durr-e-Mukhtar, Radd-ul-Mohtar].

When you should break a Farz Namaz and join the Jamaat

- Rule: Someone started a four Rakaat Farz Namaz alone and he had not yet performed the Sijdah of the first Rakaat and a group next to him started the Namaz with Jamaat, then he should break his Namaz and join the Namaz. Also for Fajr and Maghrib even if he has performed the Sijdah for the first Rakaat, he should still break the Namaz and join the Jamaat.
- Rule: If in the four Rakaat Namaz he has performed a Sijdah for the first Rakaat then he should not break the Namaz but pray two Rakaats and then finish the Namaz after the second Rakaat, and then he should join the Jamaat.
- Rule: If he has prayed three Rakaats then he cannot break the Namaz but he should finish his Namaz alone and then he can join the Jamaat with the intention of praying a Nafl Namaz. He however, cannot join the Jamaat with the intention of Nafl after Asr Namaz because you cannot pray a Nafl after Asr Namaz.
- Rule: In a four Rakaat Namaz you had not performed the Sijdah for the third Rakaat then you should break the Namaz and join the Jamaat.
- Rule: If you want to break the Namaz then there is no need to sit down but whilst standing up make the intention to break it and perform Salaam to one side.
- Rule: If you started a Nafl, Sunnat or a Qaza Namaz and a Jamaat started then do not break the Namaz but join the Jamaat after finishing your Namaz. If you started a Nafl Namaz with the intention of four Rakaats and had only prayed one or two then finish two Rakaats and join the Jamaat. If you are in the third Rakaat then finish the Namaz and then join the Jamaat.
- Rule: To join the Jamaat you can only break the Namaz when the Jamaat is being started where you are praying. If you are praying in the home and the Jamaat has started at the Masjid or you are praying in one Masjid and a Jamaat has started in another Masjid then you cannot break the Namaz to join that Jamaat, even if you have not performed the Sijdah of the first Rakaat you still cannot break the Namaz [Radd-ul-Mohtar].

- Rule: It is obligatory for the Muqtadee to follow the Imam for the obligatory actions of the Namaz, meaning, if the Muqtadee performed an obligatory action before the Imam and did not do at the same time or after the Imam then the Namaz will become void. For example the Muqtadee went into the Sijdah before the Imam and the Imam had not yet gone into Sijdah and the Muqtadee lifted his head from Sijdah then his Namaz will become void unless he repeats that Sijdah after the Imam then his Namaz will not become void [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If the Muqtadee performed the Sijdah before the Imam but the Imam went into the Sijdah before the Muqtadee lifted his head, then the Sijdah will count but to do this is Haram [Alamgih].
- Rule: It is Makrooh-e-Tanzihi for a Muqtadee to stand at the back on his own if there is space in the rows in front. If there is no space available then there is no problem, however, if he can, he should pull someone from in front backwards so that he can stand adjacent to each other. He must remember that the person he is pulling back is aware of this rule otherwise he might break his Namaz [Alamgiri] and if necessary then he should make an indication and if the other person does not come back to the last row then it won't be Makrooh to pray alone in the last row [Fatahul Qadir, Bahar-e-Shariat].

Method of starting a Jamaat

The Jamaat should be set up as follows; when the Mustahhab time for Namaz arrives then the Azaan should be called. The people should then attend the Masjid or where the Namaz is going to take place with Wuzu and if they have not prayed the Sunnats at home then they should pray them and then sit down ready in rows and the Imam should sit in his place. The Mu'azzin should then call the Iqamat and when he reaches 'Hayya Alal Falaah' all the people and the Imam should stand up and just before 'Qad Qamatis Salaat' the Imam should make the intention and say Allaho-Akbar and start the Namaz, the Muqtadee should follow the Imam and say Allaho-Akbar and pray Thana and then the Muqtadees should remain quiet and the Imam should continue and when the Imam goes into Rukooh and Sijdah the Muqtadees should follow and complete the Namaz with the Imam. Except for Alhamdo and a Surat everything that is prayed in Namaz should be prayed by the Muqtadees. If someone comes after some Rakaats have already been prayed then he should make the intention and join the Jamaat. At the end when the Imam performs Salaam he should not perform Salaam but stand up and finish the Rakaats off that he missed and then perform Salaam and finish the Namaz. After the Salaam the Imam should turn to his right or left side and face the Muqtadees and raise his hands in front of his chest and perform Dua and the Muqtadees should also perform Dua. After the Dua they should move from their place and pray the Sunnats etc.

- Rule: The Imam should say the Takbeer-e-Tahrima before 'Qad Qamatis Salaat' and the Muqtadees should say it after the Imam [Alamgiri].

Actions that break the Namaz

- Rule: Speaking nullifies the Namaz, meaning to speak in Namaz would break the Namaz whether it was done purposely or by mistake one half of a word or more.
- Rule: Speech that breaks the Namaz is when the voice is loud enough so that you can hear it yourself even if it makes no sense.
- Rule: If you greet someone even by mistake the Namaz will break whether you have only got to say 'Assalam' and have not had the chance to say 'Alaikum'.

- Rule: If you reply to someone by voice then the Namaz will break and if you make an indication by hand or head then this is Makrooh [Durr-e-Mukhtar, Alamgiri].
- Rule: If you sneeze in Namaz then do not say 'Alhamdolillah', if however, you do the Namaz will not break [Alamgiri].
- Rule: If you say 'Alhamdolillah' in reply to hearing good news or when hearing bad news 'Inna Lillahe Wa inna ilaihi Ra'ji'oon' or when you are shocked 'Subhanallah' or 'Allaho Akbar' then the Namaz will break, if the words are not said in reply to the news then the Namaz will not break.
- Rule: When clearing the throat and two words are said such as 'Akh too' and there is not a real necessity then the Namaz will break. If there is a real need such as for a health reason or you needed to clear your throat because when praying the Quran you had difficulty, or you needed to inform the Imam of a mistake, or you needed to make someone aware that you were praying the Namaz then the Namaz will not break.
- Rule: If the Muqtadee corrected someone except for his Imam by saying a verse of the Quran then the Namaz will break.
- Rule: If the Imam took a correction off anyone except for his Muqtadees then the Namaz will break.
- Rule: If someone due to pain or difficulty said 'aah' 'ooh' 'oof 'tuf or cried out loudly and a sound was heard then the Namaz will break. If someone cried and no sound was heard only tears dropped then the Namaz will not break [Alamgiri, Radd-ul-Mohtar]. If from an ill person the words 'aah' 'ooh' 'tuf came out without his control then the Namaz will not break. In the same way the words that come out when sneezing, coughing, yawning which are without control does not break the Namaz [Durr-e-Mukhtar].
- Rule: If when blowing, no noise is made then this is the same as breathing and the Namaz does not break but to do this on purpose is Makrooh, and if by blowing, two words are said such as 'oof 'tuf then the Namaz will break [Guniya].
- Rule: If when praying the Quran you physically read it whilst in Namaz or read it off the Mehrab will break the Namaz. If you are praying the Quranoff by heart and your view went on the Mehrab or somewhere where the Quran was written then the Namaz will not break [Durr-e-Mukhtar].
- Rule: If you perform Amal-e-Kasir and is not part of Namaz or done to correct the Namaz, then the Namaz will break. Amal-e-Qalil will not break the Namaz. Amar-e-Kasir is an act whereby if someone from far looked at the person praying Namaz, they would be certain that he is not in Namaz or they have a definite doubt that they are in Namaz and this would break the Namaz. Amal-e-Qalil is when a person from far has doubt whether he is in Namaz or not, then this would not break the Namaz.
- Rule: If you wore a top or trousers or a 'Tehband' whilst in Namaz then the Namaz will break.
- Rule: To eat or drink in Namaz will break the Namaz, whether it is large in quantity or small, whether it was eaten by mistake or deliberately upto the extent that if an item the size of a linseed was swallowed without even chewing it or a drop of water fell into the mouth and you swallowed it, then the Namaz will break.
- Rule: Death, insanity, unconsciousness, all will break the Namaz. If you wake up before the time has passed then perform the Ada Namaz again, and if you wake up after the time of Namaz then perform Qaza, as long as it is within twenty four hours meaning before the time of six Namaz has passed. If you regain consciousness or sanity after six Namaz has passed then the Qaza is not Wajib [Alamgiri, Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If you broke your Wuzu deliberately or for some reason a bath became obligatory, then the Namaz will break.

- Rule: If you missed an obligatory aspect of Namaz and did not perform it in that Namaz then the Namaz will break.
- Rule: If you missed a condition of Namaz without cause, then the Namaz will break.
- Rule: If after the last Qaidah you remembered that you had to perform a Sijdah for that Namaz or a Sijdah for Tilaawat and you performed that and then did not repeat the last Qaidah, then the Namaz will break.
- Rule: If you performed an act whilst you were sleeping in Namaz and then you woke up again and did not perform that act again, then the Namaz will not count.

When can you kill a snake or scorpion whilst in Namaz

- Rule: The Namaz will not break by killing a snake or scorpion as long as you do not have to move more than three steps or hit more than three strikes. If you have to move more than three steps or have to make more than three strikes then the Namaz will break.
- Rule: You have the permission to kill a snake or scorpion whilst praying Namaz even if it breaks the Namaz.
- Rule: It is only a good thing to kill a snake or scorpion when it comes in front of you and you are afraid it might bite you. If you are sure it will not harm you then it is Makrooh [Alamgiri].
- Rule: By scratching three times in one act breaks the Namaz. Meaning if you scratch and then replace your hand, you scratch again and replace your hand and you scratch again and replace your hand then your Namaz will break. If you move your hand once and scratch many times then this would be regarded as scratching just once and therefore the Namaz will not break [Alamgiri, Guniya].
- Rule: Whilst in the Takbeers you mispronounced the words Allah-o-Akbar by saying Aallah or Aakbar or Akbaar, then in all these situations the Namaz will break. If you mispronounced Allah-o-Akbar in the Takbeer-e-Tahrima then the Namaz would not start [Durr-e-Mukhtar etc.]. Whilst praying the Quran you make such a mistake whereby the meaning would change then the Namaz will break.
- Rule: If someone crosses in front of a Namazee then whether it be an animal or a person the Namaz does not break. However, the person crossing will have caused a big sin. If the person was aware of how much of a sin this is then he would wait a hundred years stood still rather than crossing, in fact he would rather be buried there than cross the Namazee.
- Rule: If a person crosses a Namazee in a field and leaves a space of three feet distance (From the place where he performs Sijdah) then there is no harm, however, he cannot do this in a house or Masjid.
- Rule: If there is an object in front of the Namazee then you can cross the Namazee with the object in between.

Definition of an object
An object is such an item that will cause an obstruction.

- Rule: An object should be at least one arm's length in height and one finger in width and a maximum of three arm lengths in height [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: It is better to put the object in line with the right eyebrow.

What should the object be made of
The object can be of a tree, human or animal [Guniya].

- Rule: The object for an Imam is sufficient for the Muqtadee, meaning if someone crossed a Muqtadee and not the Imam but an object was placed in front of the Imam then there is no harm [Radd-ul-Mohtar]. If a Namazee wanted to stop someone crossing him then he should say 'Subhanallah' loudly or start praying the Quran loudly or put his hand out but he must be aware that he does not do it too many times otherwise it would end up being Amal-e-Kasir and therefore the Namaz will break [Durr-e-Mukhtar, Radd-ul-Mohtar].

THE MAKROOHATS OF NAMAZ

- To play with the clothes, body or beard is Makrooh-e-Tahrimi.
- To fold your clothing. To lift your clothing up from the front or behind when going into Sijdah even if it is getting in the way it is Makrooh-e-Tahrimi, if it is not getting in the way then it is even more Makrooh.
- To hang a piece of clothing whereby both ends are hanging, like from the head or shoulders, such as a scarf etc. then this is Makrooh-e-Tahrimi.
- If you did not put your arms through the sleeves ana just let them hang, then this is Makrooh-e-Tahrimi. [Durr-e-Mukhtar].

The order of hanging clothes in Namaz

- Rule: To put a handkerchief on the shoulder whereby one end is hanging in front and the other hanging at the back is Makrooh-e-Tahrimi.
- Rule: To wear a shawl or blanket whereby both ends are hanging down from each shoulder is not allowed and is Makrooh-e-Tahrimi. However, if one end is hanging from one shoulder and the other is wrapped round the body and goes back over the shoulder, then there is no harm [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: To fold a piece of clothing (sleeves or trouser leg) upwards or inwards is Makrooh-e-Tahrimi, whether it was done before praying Namaz or whilst in Namaz [Durr-e-Mukhtar].
- Rule: For a male to pray Namaz whilst having the hair tied in a knot is Makrooh-e-Tahrimi, and if he does this whilst praying Namaz then the Namaz will break.
- Rule: To move stones whilst praying Namaz is Makrooh-e-Tahrimi. However, if you cannot perform the Sijdah as per the Sunnat then it is Sunnat to move them once. If you cannot perform the Wajib aspects of the Sijdah then it is Wajib to move them as many times necessary to perform the Sijdah properly [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: To interlock the fingers meaning to insert one hand's fingers into another hand's fingers is Makrooh-e-Tahrimi [Durr-e-Mukhtar etc], to do this whilst going to Namaz or whilst waiting for Namaz is also Makrooh.
- Rule: To put your hands on your hips is Makrooh-e-Tahrimi and you should not do this outside of Namaz [Durr-e-Mukhtar].
- Rule: To move your head from one side to another is Makrooh-e-Tahrimi, even if it is only a small movement. If you do not move your head but just your eyeballs and is without reason then it is Makrooh-e-Tanzihi, if however, you look for a reason to ensure your safety etc. then there is no harm. To look upto the sky is Makrooh-e-Tahrimi.
- Rule: To sit between Tashahhud and Sijdah like a dog (meaning to join the knees with the chest and to lay the arms flat on the ground) and for men to lay their arms flat when performing Sijdah is Makrooh-e-Tahrimi.

- Rule: To wrap yourself inside your clothes or a blanket whereby your hands cannot be seen is Makrooh-e-Tahrimi. Also to do this outside of Namaz is also Makrooh and in a place of danger it is forbidden. To hide your mouth and face is also Makrooh-e-Tahrimi. To pray Namaz whilst someone is sat in front of you facing you is Makrooh-e-Tahrimi.

What is Makrooh-e-Tahrimi ?

- Rule: To cough without reason or to yawn without reason is Makrooh-e-Tahrimi. If you yawn naturally then there is no harm but you should try and stop it and if you cannot then you should bite your lips and if you still cannot then cover your mouth with your hand, whilst in Qayam use your right hand and in all other position use your left.
- Rule: To pray Namaz with only your trousers or 'Tehband' on and there is another blanket on top available then it is Makrooh-e-Tahrimi, and if you have no other clothing available then there is no harm.
- Rule: To delay in the Namaz because you are waiting for someone to join you is Makrooh-e-Tahrimi. If you are delaying it so that they can join the Namaz then it is all right as long as it is no longer than saying 'Subhanallah' twice [Alamgiri].
- Rule: To pray Namaz with a grave in front and nothing in between is Makrooh-e-Tahrimi [Durr-e-Mukhtar, Alamgiri].

To pray Namaz on someone else's land

- Rule: If the land has been stolen or a field where crops are going or a ploughed field then to pray Namaz there is Makrooh-e-Tahrimi [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: In a cemetery where a place is allocated for Namaz and is does not contain a grave then to pray their is no problem. The problem is when there is a grave in front of where you are praying Namaz and there is no object in between, otherwise if there is a grave on your left, right or behind or there is a grave in front but there is an object in between you and the grave then there is no harm in praying Namaz there [Alamgiri, Guniya, Qazi Khan].

To enter a place of worship for Infidels

- Rule: To pray Namaz in an Infidel's place of worship is Makrooh-e-Tahrimi because it is a place for the devil. In fact you are not allowed to go inside them.

Order of praying Namaz wearing clothes inside out

- Rule: To wear clothes inside out or to cover yourself with them (with them inside out) is Makrooh-e-Tahrimi. Also to wear a coat and not to tie the belt or to wear a jacket and not to fasten the buttons if you are not wearing anything underneath and therefore your chest is left uncovered then it is Makrooh-e-Tahrimi and if you are wearing something underneath it is Makrooh-e-Tanzihi [Bahar-e-Shariat].

Rule of photography

- Rule: To wear a piece of clothing with a photograph on it of a living being will make the Namaz Makrooh-e-Tahrimi. Except for Namaz to wear such clothes is not allowed.

- Rule: If a photograph is over the head or hung on the wall or is where you are performing a Sijdah, then Namaz will be Makrooh-e-Tahrimi. In the same way if a photograph is on the left or right side of the Namazee then the Namaz will be Makrooh-e-Tahrimi, if it is behind him then it is still Makrooh but less than it being on either side.
- Rule: If the photograph is on the ground and you are not performing Sijdah on it then there is no harm [Hidaya, Fatahul Qadir].
- Rule: If the photograph is not of a living being such as, mountain, stream, flowers, building etc. then there is no harm [Fatahul Qadir]. If a photograph is enclosed in a bag or in your pocket then there is no harm in Namaz [Durr-e-Mukhtar].
- Rule: It you are wearing a piece of clothing containing a photograph on it and you wear another piece on top without a photo on it and it also covers the photo then there is no harm in the Namaz [Radd-ut-Mohtar].
- Rule: If a photograph is in a position of disrespect such as, on the floor where you take off your shoes or you clean your shoes on it or walk over it, as long as it is not on the ground where you perform Sijdah then there is no harm even if it is in the house [Durr-e-Mukhtar].
- Rule: If the photograph is so small that when looking at it standing up you cannot differentiate the body parts on the photograph then by having it on the right, left, front or behind the Namazee, it will not make the Namaz Makrooh.
- Rule: If the whole of the face has been destroyed on the photo then there is no harm [Hidaya, etc.]
- Rule: The rules above are for when praying Namaz. As far as keeping a photo, it has been quoted in the Hadith that if there is a photo or a dog in the house then me angels or mercy do not enter it, this is relating to a photo which has not been kept as a form of disrespect or when looking at it you can differentiate the body parts, otherwise it is all right [Fatahul Qadir].
- Rule: To make or have made a photo is Haram, whether it is hand or machine made, the order is the same.

Makrooh-e- Tanzihi

- Rule: In Sijdah or Rukooh, to say the Tasbeeh less than three times is Makrooh-e-Tanzihi. If however, you do this because there isn't enough time or you are going to miss the train, then there is no problem.
- Rule: To pray Namaz in your working clothes is Makrooh-e-Tanzihi. If however, no other clothes are available then there is no harm.

Praying Namaz with the head uncovered

- Rule: To pray Namaz with the head uncovered due to idleness, meaning by wearing a topi you feel pressure or feel hot, then it is Makrooh-e-Tanzihi. If you don't wear a topi or an Amama (turban) because you feel that the Namaz is not worth and you hold no value of Namaz then this is Kufr. If you do not wear a hat so that you can concentrate on the Namaz and gain more satisfaction then it is Mustahhab [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: If the topi falls off in Namaz then to lift it up and put it back on is better as long as Amal Kasir does not occur (e.g. lifting it using both hands). If the topi has to be lifted a few times then it is better to leave and if by lifting it will cause distraction to your concentration then it is better to leave it [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: To remove grass or sand which is stuck on the forehead is Makrooh if it is not causing a problem in praying the Namaz. If you remove it due to pride then it is

Makrooh-e-Tahrimi. If it is causing a problem or distraction when praying Namaz then you can remove it. To remove it after Namaz is no problem but in fact should be removed so that it would not create a feeling of pretence [Alamgiri]. In the same way if necessary it is allowed to wipe off the sweat from the forehead and all actions of Amal Qalil are allowed if it is better for the praying of Namaz, any action that has no benefit to Namaz is Makrooh [Alamgiri].

- Rule: If your nose is running in Namaz, then it is better to wipe it than to let the water drip on the floor, and if you are in the Masjid then to wipe it is necessary [Alamgiri].
- Rule: To sit with your legs folded in Namaz is Makrooh if there is no need, and if there is a necessity then there is no problem and to sit like this outside Namaz is no problem [Durr-e-Mukhtar]. When going into the Sijdah to touch the floor with your hand before the knees touch the ground and when coming up from Sijdah the knees to be lifted before the hands is Makrooh if there is no necessity.
- Rule: It is Makrooh to have your head higher or lower than the back when in Rukooh [Guniya].
- Rule: It is Makrooh when standing, to lift your legs at different times.
- Rule: If a mosquito or lice are causing you difficulty then there is no harm in killing them as long as Amal-e-Kasir is not done [Guniya, Bahar].

Praying Namaz on the Masjid's roof is Makrooh

- Rule: It is Makrooh to pray Namaz on the Masjid's roof [Alamgiri].
- Rule: If someone is sat or stood up and is talking, there is no harm in praying Namaz behind him as long as your Namaz is not distracted or your attention is not disturbed. Also there is no harm in praying Namaz behind the Holy Quran or a sword or someone sleeping and it is not Makrooh [Durr-e-Mukhtar, Radd-ul-Mohtar].

Fire in front of a Namazee

- Rule: There is a problem by having fire in front of a Namazee and there is no problem by having a candle or light in front [Alamgiri].
- Rule: To wave away with the hand a mosquito or fly without cause is Makrooh [Alamgiri].
- Rule: To pray Namaz in front of anything that causes distraction to the heart is Makrooh such as jewellery etc.
- Rule: To run because of Namaz is Makrooh [Radd-ul-Mohtar].

To break Namaz in difficulty
Situations when you are allowed to break Namaz;
Someone who is in difficulty is asking for help and is calling this Namazee, someone is drowning or will catch fire, a blind person will fall in a ditch or a person is going to fall in a well, in all these situations to break the Namaz is Wajib when this Namazee has the power to help him [Durr-e-Mukhtar, Radd-ul-Mohtar].

- Rule: If you are feeling the need to go to the toilet or you have seen enough impurity on your clothes that is allowed or the Namazee has been touched by a unknown woman, then in all three situations it is better to break the Namaz as long as the time of Jamaat time is not passing, and if you have an urge to go to the toilet then it is allowed to miss the Jamaat time, but you must not let the Namaz time pass [Radd-ul-Mohtar].

- Rule: To break Namaz is allowed in order to kill a snake or an animal that will harm you and you are sure that it will.
- Rule: It is allowed to break Namaz in order to chase after an animal that has ran away or there is a threat that a wolf will harm your goats.

To break Namaz so that you can stay away from trouble

- Rule: If there is going to be a loss of more than one Dirham in value (approx. 30p) to yourself or someone else, for example, your milk that is boiling will over-boil or the cooking of meat will bum or a crow etc. will fly off with your food, then in these situations it is allowed to break Namaz [Durr-e-Mukhtar, Alamgiri].
- Rule: If you are praying a Nafl Namaz and your mother, father, granddad or grandmother calls you but they are not aware that you are in Namaz, then you should break the Namaz and answer them [Durr-e-Mukhtar, Radd-ul-Mohtar].

Rules of Masjid

Close to Allah the best place is the Masjid and the worst is the town centre (shopping areas).

Dua of going into the Masjid

When you enter a Masjid, first pray the Durood Sharif and then pray this Dua 'Rabbigh Firli Zunubi Waftahli Abwaaba Rahmatik' and when coming out of the Masjid first pray the DuroodSharif and then pray this Dua'Rabbigh Firli Zunubi Waftahli Abwaaba Fadlik'

- Rule: Pointing the soles of your feet towards the Qibla is Makrooh, whether you do it when sleeping or when you are awake. The same rule applies for small children and that it is Makrooh to have their feet pointing towards Qibia and the person who has laid them down will obtain the sin.
- Rule: It is Haram to cause litter or any other sort of dirtiness on the Masjid's roof, you must respect the roof of the Masjid as you would respect the Masjid itself [Guniya].
- Rule: To climb on the roof of the Masjid without reason is Makrooh [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: To make the Masjid an access-way, meaning to go through it to get to the other side of the road etc. is not allowed. If you make a habit of this then you will become a wrongdoer (Fasiq). If someone goes in the Masjid with this intention then regrets it he must either come out of a different door than the one he intended to come out from or pray Namaz there and then come out or if he has not performed Wuzu then he can come out of the door he went in from [Durr-e-Mukhtar, Radd-ut-Mohtar].
- Rule: You are not allowed to urinate in a container or obtain blood in the Masjid.
- Rule: To take a child or a mentally ill person into the Masjid when you are in doubt that they might cause excretion or urinate then it is Haram and if not then it is Makrooh.
- Rule: To write the Quran on walls of the Masjid or on the Mehrab is not a good thing because there is the possibility that the words might drop off and hence will be abused and for the same reason of disrespect to write the Quran on a pillow, on the ground, on the bed or tablecloth or even on the prayer mat is not allowed [Alamgiri,Bahar].
- Rule: To perform Wuzu inside the Masjid (JamaatKhana) or to spit, clean your nose or put dirt on the walls of the Masjid or on the carpet or underneath the carpet is forbidden. If you have a need to spit or clean your nose the use a handkerchief [Alamgiri]. To burn impure oil or use an impure substance in the Masjid is forbidden.
- Rule: If a place within the Masjid has been designated from when the Masjid was built as an area to perform Wuzu then you can do so and can do it using a container but the condition is that you be very careful that splashes do not enter the Masjid [Alamgiri]. After Wuzu to shake off the water from your hands or face in the Masjid is forbidden [Bahar].
- Rule: Make sure that you do not put the dirt swept from the Masjid in a place where it is open to disrespect.
- Rule: It is not allowed to plant trees in the Masjid, however, if the ground is damp and therefore needs a tree to be planted there or the pillars are weak and require additional support then it is allowable to plant trees in the Masjid [Alamgiri etc.].

- Rule: To ensure that the rules of the Masjid are adhered to, you are allowed to build a room or partition inside the Masjid [Alamgiri].
- Rule: It is Haram to beg inside the Masjid and to give a beggar some money is also not allowed [Muslim etc.]. It is not allowed to go inside the Masjid after eating or putting on a substance that gives off a foul stench.
- Rule: You are not allowed to go inside the Masjid after eating raw garlic or onions until the smell disappears. The same rule applies to all those items that smell and the Masjid should be protected from it until the smell goes, in the same way if an ill person has applied ointment or medication that has a bad smell should not be allowed in the Masjid and neither should a person who suffers from a disease such as leprosy or skin disease etc. A person who has a habit of using bad language or has an abusive manner should also be prevented from going into the Masjid [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar]. It is not allowed to talk inside the Masjid of unnecessary things and neither is speaking in a loud voice [Durr-e-Mukhtar, Sagiri].
- Rule: For the cleanliness of the Masjid you are allowed to clean out the nest of a pigeon or bat etc [Durr-e-Mukhtar, Bahar].
- Rule: It is better to pray Namaz in the village or local Masjid than to pray in the Jamia (Central) Masjid even if the Jamaat is small, in fact if there is no Jamaat performed in the local Masjid then perform Azaan and pray Namaz alone as this is better than to pray in the Jamia Masjid [Sagiri etc.].

WITR NAMAZ

The Namaz of Witr is Wajib and if for some reason it has not been prayed during it's allocated time then it's Qaza is also Wajib [Alamgiri, Hidaya]. Witr Namaz contains three Rakaat to be performed with one Salaam, the same as the Maghrib Namaz. The first Qaidah is Wajib, meaning after two Rakaats you must sit down and only pray Attahiyat and then stand back up and pray Alhamdo and a Surat and then lift both hands upto the ear lobes and whilst saying Allaho Akbar fold them again and pray 'Dua-e-Kunoot'. After praying Dua-e-Kunoot perform Rukooh and finish the Namaz as normal.

- Rule: It is Wajib to pray Dua-e-Kunoot and it is not Wajib to pray any specific Dua, however, it is better to pray those Duas which have been mentioned in the Hadiths. The most common one is as follows; "Allahumma Inna Nasta'inuka Wa Nastaghfiruka Wa Nu'Minu Beka Wana Tawwakkalu Alaika Wanusni Alaikal Khair Wa Nashkuruka Walaa Nakfuruka Wa Nakhla'u Wanatruku Mayyaf Juruka. Allahumma iyyakana'budu Walaka Nusalli Wanasjudu Wa ilaka Nas'aa Wanahfidu Wanarju Rahamataka Wa Nakhsha Azaabaka inna Azaabaka BilKuffari Mulhiq".
- Rule: Those who cannot, pray Dua-e-Kunoot, should pray this; "Rabbana Aatina Fiddunya Hasanataw Wafil Aakhirati Hasanataw Wa Qina Azaaban Naar" and those who cannot pray this should pray "Allahummagh Firli" three times [Alamgiri].
- Rule: Dua-e-Kunoot should always be prayed quietly, whether it be the Imaam or a Muqtadee or a Munfarid, whether it be the month of Ramadan or other days, whether it be Ada or Qaza [Radd-ul-Mohtar].
- Rule: Except for Witr, do not pray Dua-e-Kunoot in any other Namaz. However, if there is a serious difficulty or incident then you can pray it in Fajr also. The way to pray it in Fajr is the same as Witr except for it is done in the second Rakat [Durr-e-Mukhtar, Bahar etc.].
- Rule: If you forget to sit in the first Qaidah then you are not allowed to sit back down, but you should continue and perform Sijdah-e-Sahoo at the end. If you forget to pray Kunoot and you go into the Rukooh then do not pray it in the Rukooh nor return to the Qayam position, but continue your Namaz as normal and perform

Sijdah-e-Sahoo at the end and the Namaz will count. In Witr the Qiraayat is obligatory in all three Rakats and to join a Surat after Alhamdo is Wajib.

- Rule: It is better if you pray 'Sabbihismi Rabbikal Aalaa' or 'Inna Anzalna' in the first Rakat and in the second 'QuI Yaa Ayyuhal Kafiroon' and in the third 'QuI Huwallah Ho Ahad' and sometimes pray other Surats.
- Rule: The Namaz of Witr cannot be prayed whilst sitting down or on a cavalcade (item used for travelling e.g. horse, car, camel etc.) without a real reason [Durr-e-Mukhtar etc.].
- Rule: For a Sahib-e-Tarteeb who is aware that he has not yet prayed the Namaz of Witr and during the Fajr time he prayed the Fajr Namaz and there is enough time for him to pray the Qaza of Witr and then he must pray the Fajr Namaz again, then his first Fajr will not count whether it be during the beginning time, middle or near the end time of Fajr [Durr-e-Mukhtar, Bahar].

When can Witr be prayed with Jamaat?

- Rule: The Witr Namaz can only be prayed with Jamaat during the holy month of Ramadan, except for Ramadan it is Makrooh to pray with Jamaat [Hidaya etc.]. In fact it is Mustahhab to pray it with Jamaat in this great month of Ramadan.
- Rule: If a person has not prayed the Farz of Isha with Jamaat, then he should also pray the Witr alone, even if he has prayed the Tarawih with Jamaat.

SUNNATS AND NAFLS

- Rules of Sunnat-e-Maukida and Ghair Maukida

There are many Sunnats which are regarded as Maukida, whereby it has been regarded as important in Shariat and to miss it even once without reason is worth reprimanding, and to make a habit of missing them would mean being a wrongdoer (Fasiq) who's giving oath would not be counted and is worthy of hell. To miss it is close to Haram and those who miss it have a risk of not being interceded on the day of judgement. Sunnat-e-Maukida is sometimes also referred to as Sunun-e-Hidaya. Many Sunnats are Ghair Maukida and are sometimes referred to as Sunun-e-Zawa'id and it's importance has not been defined in Shariat and sometimes is quoted as Mustahhab. Nafl are those actions which by doing would gain reward and to miss carries no punishment and there is no harm in missing.

Namaz which is Sunnat-e-Maukida

- Rule: The Sunnat-e-Maukida are these;
- The first two Rakats of Fajr, before the Farz Namaz
- The first four Rakats of Zohr before the Farz Namaz and the two Rakats of Zohr after the Farz Namaz.
- The two Rakats after the Farz Rakats of Maghrib.
- The two Rakats of Isha after the Farz Rakats.
- The first four Rakats before Farz of Ju'ma and the four Rakats after Farz and it is better also to pray the two Rakats additionally after Farz [Guniya, Hidaya].
- Rule: The most important Maukidah is the Sunnats of Fajr, upto the extent that many Ulema regard them as Wajib. Therefore they cannot be prayed without reason whilst sitting or on a vehicle or moving car [Fatahul Qadir etc.].
- Rules of missing Sunnats

- Rule: If the Fajr Namaz became Qaza and you prayed them before midday then also pray the Qaza for the Sunnats otherwise don't. Except for Fajr if all other Sunnats became Qaza, then there is no Qaza for them.
- Rule: If you missed the first Sunnats of Zohr or Ju'ma and prayed the Farz Rakats then if there is time pray the Sunnats after and it is better to pray them after the normal Sunnats that are prayed after the Farz Namaz [Fatahut Qadir, Bahar].
- Rule: If the Sunnats of Fajr are not prayed and the Farz Namaz is prayed then do not pray them until after sunrise as Qaza as it is better to pray them after sunrise and it is not allowed to pray them in this situation before sunrise [Radd-ul-Mohtar, Bahar].
- Rule: It is Sunnat to pray in the Sunnats of Fajr, in the first Rakat 'QuI Yaa Ayyuhal Kafiroon' and in the second 'QuI Huwallaho Ahad'.
  When Nafl is allowed
- Rule: It is not allowed to start any Nafl or Sunnat once Jamaat has started. The only exception is the Sunnats of Fajr and the rule is you must start them even if the Jamaat has started as long as you are aware that you can finish the Sunnats and join the Jamaat even if it is in the last Qaidah. You must pray these Sunnats separately away from the rows of Jamaat as to pray them in the same row as the Jamaat is not allowed.
- Rule: If you are aware that if you pray Nafl or Sunnat then you will miss the Jamaat, then it is not allowed to start the Nafl or Sunnat.

Mustahhab Namaz

- Rule: Four Rakaat Namaz before Isha and Asr and four Rakats after Isha all with one Salaam is Mustahhab. It is also the case if you pray two Rakats after Isha then the Mustahhab will be fulfilled. It is also Mustahhab to pray four Rakats after Zohr. It is quoted in the Hadith that those who pray these will have the fire of hell made Haram for them.

Salaatul Awaabeen

- Rule: After Maghrib, to pray six Rakats is Mustahhab and they are known as SalaatuI Awaabeen. It is better to pray them in two, two Rakats [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: The Mustahhab of Zohr, Asr and Isha include the Sunnat-e-Maukida. For example if you pray four Rakats after Zohr Farz then both the Sunnats and the Mustahhab will be fulfilled and alternatively you can pray them both with one Salaam. Meaning perform Salaam after four Rakats and only the intention of Sunnat is sufficient, there is no need to define the Maukida and Mustahhab separately as they both will be fulfilled [Fatahul Qadir, Bahar].
- Rule: Qiraayat is obligatory in all the Rakats of Nafl and Sunnat.
- Rule: To intentionally start a Sunnat or Nafl Namaz will make it Wajib, meaning if you break it then to repeat or perform it's Qaza is Wajib.
- Rule: Nafl Namaz can be prayed without reason whilst sitting down, however, to pray it standing up carries double reward [Hidaya].
- Rule: If you are praying Nafl sitting down then sit as if you are sat in Qaidah except for when you are praying Qiraayat have your arms folded below the navel just as you have them when stood up [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: The two Rakats Nafl that are prayed after Witr, it is better to pray 'Iza Zul ZilatuI Ardo' in the first Rakat and 'QuI Yaa Ayyuhal Kafiroon' in the second Rakat.

Where is it better to pray Sunnat and Nafl ?

- Rule: It is better to pray the Sunnat and Nafl in the home [Hidaya etc.].
- Rule: Do not talk between the Sunnat and Farz Namaz as the reward is reduced [Fatahul Qadir], the same rule applies to any action which is forbidden as soon as Takbeer-e-Tahrima is said (i.e. eat, drink, talk etc.) [Tanweer, Bahar].

Namaz of Tahajjud

After praying Isha and after sleeping, the time that you wake up is the time of Tahajjud, however, it is better to pray in the last third of the night. Tahujjud is Sunnat and is prayed without the intention of Sunnat and is at least two Rakats and most is eight Rakats [Fatahul Qadir, Alamgiri].

- Rule: In a Nafl Namaz during the day it is Makrooh to pray it more that four Rakats without performing Salaam and during the night it is Makrooh to pray it more than eight Rakats without performing salaam. Whether it is be day or night it is better to perform Salaam at the maximum of four Rakats [Durr-e-Mukhtar].
- Rule: If you have made the intention of praying more than two Rakats of Nafl then you must perform Qaidah between every two Rakats.

Notice: To pray more than two Rakats of Nafl in one Salaam will make the rules rather difficult to observe and that is why it is better to pray two, two Rakats.

Namaz Ishraq

This Namaz is also Sunnat. After praying Fajr keep on praying the Durood Sharif. After the sun has risen slightly meaning at least twenty minutes from the start of sunrise has passed, then pray two Rakats.

Namaz_Chaasht

This is also Sunnat and there are at least two Rakats or at the most twelve Rakats, and it is better to pray all twelve. The time for this is when the sun has well risen upto the start of midday, however, it is better to pray it when the sun has quarter risen in the sky.

Namaz Istikhara

It has been quoted in the Hadiths that when a person makes an intention for something then he should pray two Rakats Nafl. In the first Rakat after Alhamdo pray 'QuI Yaa Ayyuhal Kafiroon' and in the second Rakat after Alhamdo pray 'QuI Huwallaho Ahad' and then pray the following Dua and with Wuzu face the Qibla and go to sleep. At the beginning of the Dua and at the end, pray Alhamdo and Durood Sharif. The Dua is as follows; "Allahumma inni Astakhiruka Bi ilmika Wa Astakdiruka Bi Qudratika Wa As'aluka Min Fadlikal Azueemi Fa innaka Taqdiru Wala Aqdiru Wa Ta'lamu Walaa A'lamu Wa anta Allamul Ghuyub Allahumma In kunta Ta'lamu Anna Hazal Amra Khairulli Fi Deeni Wa Ma'aashi Wa Aaqibati Amri Wa Aajili Amri Wa'Aajilihi Faqdurhuli Wa Yasirrihuli Summa Baarikli Feehi Wa'inkunta Ta'lamu Anna Hazal Amra Sharruli Fi Deeni Wa ma'aashi Wa'Aaqibati Amri Wa Aajili Amri Wa Aajilihi Fa'asrif'hu Anni Wa as'rifni Anhu Waqdur liyal Khaira Haiysu Kaana Summa Raddini Bihi"

At both 'Al Amra' mention your request. Just like in the first one say 'Haza Safara Khairuli'

and in the second one say "Haza Safara Sharruli' [Guniya].

When should Istikhara be done ?

- Rule: There is no Istikhara for pious actions such as Hajj, Jihad etc. However, you can perform Istikhara to designate a fixed time for them [Guniya].
- Rule: It is better to perform Istakhara at least seven times and then see wherever your conscience is fixed that is what is best for you. Many pious Buzrukhs say that if you see whiteness or greenery in your dreams then it is good and if you see darkness or redness then it is a bad thing and you should stay away from it [Radd-ul-Mohtar].

Namaz-e-Haajat (Fulfilling Needs)

When someone has a need from Allah Ta'ala or requires something from a person or they are in some sort of difficulty, then carefully perform Wuzu and then pray two or four Rakats Nafl Namaz. In the first Rakat after Alhamdo pray 'AyatuI Kursi' three times. In the second Rakat after Alhamdo pray 'QuI Huwallaho Ahad' once. In the third Rakat after Alhamdo pray 'QuI A'oozo Birabbil Falaq' once and in the fourth Rakat after Alhamdo pray 'QuI A'oozo Birabbin Naas' once. After Salaam pray the following three times; "Huwallahul Lazi Laa'ilaha illa Huwa Aalimul Ghaibi Wash'shahaadati Huwar Rahmanur Rahim" then three times pray "Subhanallahi Walhamdo Lillahi Wa Laailaha illallaho Wallaho Akbar Walaa Hawla Walaa Quwwata illa Billah" then three times pray a Durood Sharif and then pray this Dua;

"La ilaha illallahul Hakeemul Kareem Subhanallahi Rabbil Arshil Azeem Alhamdo Lillahi Rabbil Aalameen As'aluka Maujibaati Rahmatika Wa'azaai'ma Maghfiratika Wal Ghanimati Min Kulli Birriw Wassalamata Min Kulli Ismin Laatada' Li Zamban illa Ghafaratahu Walaa Hamman illa Farrajtahu Walaa Haajatan Hiya Laka Rizan illa Qafaytuhi Yaa Ar'hamarraahimin"

Namaz of Tarawih

Tarawih is the twenty Rakat Namaz that is Sunnat-e-Maukida and is prayed in the month of Ramadan after the Farz Namaz of Isha every night.

- Rule: The time of Tarawih is after praying the Farz of Isha until the beginning of the break of dawn [Hidaya]. In Tarawih the Jamaat is Sunnat-e-Kifayaa, meaning if all the people of the Masjid missed it then they would all be responsible for the sin and if one person prayed at home alone then he has not committed a sin [Hidaya, Qazi Khan].
- Rule: It is Mustahhab to delay it until one third of the night has passed and if you wait until half the night has passed then there is no harm [Durr-e-Mukhtar, Bahar-e-Shariat].
- Rule: Just as the Tarawih is Sunnat-e-Maukida for men, in the same way it is Sunnat-e-Maukida for women and they are not allowed to miss it [Qazi Khan].
- Rule: The twenty Rakats of Tarawih are to be prayed in two, two Rakats i.e. performing salaam after every two Rakats and therefore in total ten salaams. After every four Rakats it is Mustahhab to rest for the duration it took to pray the four Rakats, this rest is called Tarwih [Alamgiri, Qazi Khan].
- Rule: After the Tarawih has finished the fifth Tarwih is also Mustahhab. If the fifth Tarwih is a burden on people then do not do it [Alamgiri, etc.].

- Rule: There is flexibility in Tarwih, whether you remain quiet or you can pray some Tasbeeh, Quran, Durood Sharif or Dua and if he wished he can pray Nafl alone, but to do this with Jamaat is Makrooh [Qazi Khan].
- Rule: Those who have not prayed the Farz of Isha cannot pray the Tarawih nor Witr until he prays the Farz.
- Rule: Those who prayed the Farz of Isha alone can pray the Tarawih with Jamaat but he must pray the Witr alone [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If you have prayed the Isha Farz with Jamaat and then prayed the Tarawih alone, he can join the Jamaat for Witr [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If you have some Rakats of Tarawih left and the Imam has stood up for Witr then it is better to pray the Witr with Jamaat as long as you have prayed Isha Farz with Jamaat and then you can pray the remaining Rakats of Tarawih. It is also allowed to complete your Rakats of Tarawih and then pray Witr alone [Alamgiri, Radd-ul-Mohtar].
- Rule: If people have prayed the Tarawih and now they want to pray it again then they can pray it alone but it is not allowed to pray it with Jamaat again [Alamgiri]. If one Imam prays Tarawih in two masjids and if he prays the full Tarawih in both masjids then this is not allowed. If the Muqtadee prays the Tarawih in full in both masjids [hen there is no problem, however, he is not allowed to pray Witr again if he has already prayed in the first masjid [Alamgiri].
  Rule: It is better to pray the Tarawih with Jamaat in the masjid. If the Tarawih is prayed in a house with Jamaat then you will not get the sin of missing Jamaat as it will still be counted but the reward will be less than praying in the masjid [Alamgiri].
- Rule: The Tarawih prayed behind a child will not count for any adults who prayed behind the child [Hidaya, Durr-e-Mukhtar, Alamgiri].
- Rule: In the whole month of Ramadan to finish the Quran once is Sunnat-e-Maukidah and to finish it twice is virtuous and to finish it three times is a good thing. You should not miss this opportunity just because people are idle [Durr-e-Mukhtar].
- Rule: To give a Hafiz a salary for praying the Tarawih is not allowed and the giver and taker are both sinners. A salary is not just a fixing of the fee such as I will take this much for praying the Tarawih or I will give you so much for praying the Tarawih, but if a Hafiz believes he will pray at a certain place he will get so much then this is also not allowed. If the people say we will not give you anything or the Hafiz says I will not take anything and then the public decide to give the Hafiz a gift or some money as a gesture to thank him for his efforts then there is no problem with this [Bahar-e-Shariat].
  Shabinah
- Rule: Shabinah meaning to finish the whole Quran in one night in Tarawih. During today's era where a Hafiz prays the Quran at great speed that the words cannot be understood. Never mind praying the words where the pronunciation is done correctly the listeners are also in a state where some are sat down, some are lying down, some are even sleeping and some perform the Takbeer-e-Tahmnah when the Imam goes into the Rukooh and then they are doing this very quickly, in all these situations the Shabinah is not allowed. If the Hafiz prays speedily to pose off then this is Haram and is a sinner.

NAMAZ FOR THE SICK

If a person due to illness cannot stand and pray Namaz then they should sit and pray Namaz. Whilst seated he should perform Rukooh by leaning far forward and pray 'Subhana Rabbial Azueem' and then sit back up straight and then go into Sijdah as normal. If he is not able to pray Namaz whilst being seated then he should lay down and pray. The method is to lay down flat and point the feet towards Qibla and keep the knees up and keep a pillow

underneath the head so that the face is pointing towards Qibia and the head is higher than the rest of the body. To perform Rukooh and Sijdah by actions, for the Sijdah lean the head completely forward and for the Rukooh lean the head slightly forward. In the same way Namaz can also be prayed lying on your left or right side.

When can an ill person miss Namaz. ?

- Rule:When an ill person cannot even move his head then the Namaz is forgiven and there is no need to use the eyes to perform the actions or eyebrows or to pray with an intention only in the heart. If six Namaz pass like this then there is no need to perform Qaza as this is also forgiven and there is no need for Fidya (monetary compensation). If the time like this is less than six Namaz then Qaza is obligatory even if the health is only a little better that the person can now move his head to perform the actions [Durr-e-Mukhtar, Bahar etc.].
- Rule: If an ill person is in a state whereby he cannot keep count of the Rakats and Rukoohs or Sijdahs then there is no need for him to perform Namaz on time [Durr-e-Mukhtar etc.].
- Rule: To stand in all Farz Namaz, Witr, Eid Namaz and the Sunnats of Fajr is obligatory and if Namaz is prayed whilst sitting down without genuine reason then the Namaz will not count [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: Because the Qayam is Farz therefore without a genuine religiously recognised reason it cannot be missed, otherwise the Namaz will not count. Upto the extent that if you can lean on a stick, servant or wall then it is Farz to do this and if you can only stand for a small amount of time like whilst saying Allaho Akbar in Takbeer-e-Tahrimah then it is Farz to start the Namaz whilst standing and then sit down afterwards otherwise the Namaz will not count. If you have a slight headache or flu or a cold or a small wound where people can walk about, is in no way a reason to pray the Namaz whilst being seated and if you have done so then it has not counted and you must pray Qaza for them [Guniya, Bahar-e-Shariat].
- Rule: If a person leaks drops of urine or blood if he stands and doesn't if he sits then it is Farz for him to pray whilst seated as long as there is no other way of stopping his illness.
- Rule: A person is so weak that if he goes to the masjid to pray the Namaz with Jamaat then he will have to sit down and pray Namaz, but if he remains at home then he can pray the Namaz standing, then it is Farz for him to pray the Namaz at home with Jamaat if possible otherwise alone [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If an ill person prays whilst standing then he cannot pray the Quran at all and if he prays whilst seated he can pray the Quran, then it is Farz for him to pray whilst sitting down and if he can pray a little bit of the Quran whilst standing then it is Farz to pray as much as he can whilst standing and then the remainder whilst seated [Durr-e-Mukhtar, Radd-ul-Mohtar]. Rule: If a blanket is put underneath the ill person praying Namaz and it has become impure but if you were to change it, it will become impure' again then continue to pray the Namaz on the original blanket and if the blanket is changed then the new blanket will not become as impure as quickly but by changing the blanket it will cause great distress to the ill person then do not change it [Alamgiri, Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: If a person is drowning and he can gain support from a stick then it is Farz for him to pray the Namaz as long as Amar-e-Kasir is not performed and if he does not pray and he survives then he must perform Qaza [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].

QAZA NAMAZ

To make a Namaz Qaza without genuine Shariat reason is a big sin and to pray the Namaz is Farz and is necessary to perform repentance with sincerity. By the use of repentance or having the Hajj accepted will eradicate the sin for delaying the Namaz [Durr-e-Mukhtar].

- Rule: Repentance is only correct when the Qaza is prayed and if you perform repentance but continue not to pray the Qaza or continue committing the sin then this is not repentance [Radd-ul-Mohtar]. It is quoted in the Hadith that a person who performs Tauba (repentance) but continues performing that sin then he has not performed repentance but is playing a joke with Allah.

Description of Qaza

- Rule: Whatever a servant has been ordered, then to perform that act on time is known as Ada, and if the time passes then it is known as Qaza.
- Rule: If you perform Tahrima within the time then the Namaz is not Qaza but it is Ada, however, the exception to this rule is for the Namaz of Fajr, Ju'ma or Eid Namaz whereby the final salaam has to be performed before the time has ended [Durr-e-Mukhtar, Bahar].
- Rule: If a Namaz becomes Qaza due to sleeping or by forgetting then to pray the Qaza is Farz but the sin for Qaza does not apply, however once awake or remembering and as long as the time is not Makrooh then you must pray it immediately and to deiay will be a Makrooh [Alamgiri].
- Rule: The Qaza of Farz Namaz is Farz, the Qaza of Wajib is Wajib and the Qaza of Sunnat is Sunnat for those Sunnats that carry a Qaza such as the Sunnats of Fajr when the Farz has also been missed and the first Sunnats of Zohr when the Farz has been prayed and the time of Zohr has not finished [Alamgiri, Durr-e-Mukhtar, Radd-ul-Mohtar].

Time of Qaza

- Rule: There is no fixed time for praying Qaza as whenever it is prayed the duty will be fulfilled except for sunrise, just before sunset and exact midday, as no Namaz is allowed during these times [Alamgiri].
- Rule: Whichever Namaz has been missed has to be prayed like that, for example, if a four Rakat Namaz has been missed whilst on a journey then only two Rakats will be prayed when praying it's Qaza even if you are praying it back at home and if a four Rakat Namaz was made Qaza at home then if you pray it on a journey you will still have to pray four Rakats. If there is a problem when praying Qaza then you are allowed to accommodate for that meaning, if when the Namaz was made Qaza you were allowed to stand and pray and now you are unable to stand and pray and therefore have to sit and pray the Namaz then you are allowed to do this and when you get better there is no need to repeat this Qaza [Alamgiri].

Which Qaza Namaz is forgiven

- Rule:If a person is so ill that they cannot pray Namaz even by actions and if this situation remains for six Namaz then the Qaza Namaz is not Wajib [Alamgiri].
- Rule: If a mental person has missed Namaz during his illness and it has been for a period of more than six Namaz continuously then there is no need to perform Qaza [Alamgiri].
- Rule: If there is enough time to pray both Qaza and Ada in short then you can do this and if by expanding the praying then there is not enough time to pray both

Namaz then the routine (Tarteeb) is still Farz and if by missing all allowed things but not Wajibs or Farz in Namaz you can pray both, then this should be done if possible [Alamgiri].

ROUTINE IS NECESSARY IN QAZA NAMAZ

- Rule: For a Sahib-e-Tarteeb, meaning for those who have less than six Namaz in total of Qaza to pray, then when remembering and there being enough time to pray theQaza, he prays his Ada instead then this Namaz will not count. This means he will still have to pray the Ada Namaz again. If he continued praying the Ada Namaz and missed the Qaza until he has prayed the sixth Namaz and then all the Namaz will be correct as he will no longer be Sahib-e-Tarteeb any more and if in between he prays one Qaza, then all the Ada will not count.
- Rule: Tarteeb meaning routine is necessary for the missed Namaz and the Ada Namaz as long as there are less than six missed Namaz and hence first the Qaza should be prayed then the Ada. For example if today someone's Fajr, Zohr, Asr and Maghrib became Qaza then he cannot pray the Isha Namaz until he has prayed the Qaza for the four Namaz in sequence first.
- Rule: If there isn't enough time to pray the Ada and all the Qaza Namaz then pray as many Qaza and the Ada as possible and for the rest, Tarteeb can be missed, for example, if both the Farz of Isha and Witr became Qaza and in Fajr you only had time to pray five Rakats then you pray three Rakats of Witr and two of Fajr, and if you only had time for six Rakats then pray the Qaza of Farz Isha and pray two Rakats Farz of Fajr [Shareh Wiqaya].
- Rule: If six Namaz became Qaza and as soon as the time for the sixth is finished there is no longer a need for Tarteeb and now regardless of remembering and having time if you pray the Ada Namaz it will count. Whether the Qaza have occurred all in one go meaning six Namaz together or by six in a few days, for example, your Fajr became Qaza for six days and you continued praying Ada and totally forgot about the Qaza then the same rule applies and you are no longer a Sahib-e-Tarteeb [Radd-ul-Mohtar].
- Rule: As soon as six Namaz became Qaza and the time for the sixth Namaz has gone then Tarteeb is no longer Farz anymore, whether all the missed Namaz are old or some are recent and some are old , meaning if you missed a month's Namaz and then started praying again and again missed a couple you are still no longer a Sahib-e-Tarteeb as you have more than six Qaza in total to pray [Radd-ul-Mohtar].
- Rule: When due to having more than six Qaza the Tarteeb is no longer necessary then if some of the Qaza is prayed and there are less than six Qaza remaining in total then you will still no longer be Sahib-e-Tarteeb until all the Qaza is prayed, and when this is the case you will become Sahib-e-Tarteeb again [Shareh Wafaya, Alamgiri, Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: Just as six or more Qaza Namaz clears the necessity for routine for the Ada and Qaza Namaz, there is also no need for routine for the Qaza Namaz, meaning that the remanding Qaza can be prayed in whichever sequence deemed suitable, for example, if someone missed a full month's Namaz and then he prayed them first the thirty Farz of Fajr then the thirty Namaz of Zohr etc. and this would also be acceptable and the Namaz will count [Alamgiri]. Whoever has the responsibility of praying Qaza Namaz although it is necessary for them to be prayed as soon as possible they can be delayed due to responsibilities towards the family, or work etc. and whenever he gains some free time he should pray the Qaza until they are all complete [Durr-e-Mukhtar].

- Rule: Qaza Namaz is more important than the Nafl Namaz and therefore when you pray the Nafl instead you should pray any Qaza you may have left, however, do not replace the Tarawih or the twelve Sunnat-e-Maukidah (in the day).
- Rule: For those who have the responsibility of many years Qaza and they cannot remember exactly how many then they should make the intention that "I am praying the first Qaza of Fajr or Zohr or Asr, that is due from me" and complete all the Qaza like this until they are certain that they have none left to perform.

Age of becoming an Adult

- Rule: Whether a person is male or female, once they reach the age of adolescence all Namaz and Roza etc. will become obligatory for them. A female's age is at least nine and at the most fifteen and a male's age is a minimum of twelve and a maximum of fifteen. It is necessary to believe a fifteen year old as an adult according to Shariat whether or not they show signs of adulthood.

To be illiterate is not an excuse

- Rule: It is obligatory for all adult Muslims to learn the Farz rules of Shariat and being illiterate or a female is not an excuse. If you are not aware of your obligations and necessities according to Islam then you will be a sinner and caught in the grounds of punishment.

Compensation for Namaz (Fidya)

- Rule: If a person's Namaz has become Qaza and he dies then if he has left an order in his will to pay Fidya for his Qaza Namaz and he has left some money or goods, then Fidya should be paid from one third of the money or goods left by him and one half Sa'a (approx. 4lb 8oz) of wheat or one Sa'a (approx. 9lb) of Sadqa is to be given to the poor for every Farz or Wajib missed. If the dying person has not left any goods then the next of kin can give to the poor from his own goods. The way to do this is the next of kin to give half a Sa'a to a pauper and he would become the owner, and the pauper would now as the owner give the goods back to the next of kin as a gift and now the next of kin would become the owner and to continue this process until all the Namaz have been counted for. If the person who has died has left some goods but is not enough then the same process should be applied. If the person who has died has not left an order in his will to give Fidya and the next of kin wishes to do so then they can.
- Rule: For whose Namaz there is fault or improper then they should repeat the whole lot as this is a good thing and if there is no fault then they shouldn't but if they would like to do so then they pray them after Fajr or Asr and should pray all the Rakats in full (with a Surat attached) and for Witr after Kunoot they should perform Qaidah and then join another Rakat to make it a total of four [Alamgiri].

Qaza-e-Umri does not exist

- Rule: Many people on the night of Shabb-e-Qadr or at the end of Ramadan pray two Rakats Namaz and believe that all their Qaza for a lifetime has been fulfilled, this is totally wrong and incorrect and is not possible.

NAMAZ FOR A TRAVELLER

- According to Shariat a traveller is a person who leaves his village or area with an intention of travelling for a distance of three days.
- Rule: A day means the shortest day in the year and the whole day does not mean a distance of a person travelling from in the morning to night but the major part of the day. For example, started walking from the break of dawn to the afternoon and then repeated the same for the next two days, then the total distance is regarded as travelling distance according to Shariat. Walking from dawn to the afternoon does not mean continuous walking, but resting as and when necessary and the speed is not too fast nor too slow. Walking on dry land means the same speed as a camel and a man walking, walking on rocks and rough ground is whatever speed necessary to walk and travelling on a boat is the speed when the wind is not too fast nor too still [Durr-e-Mukhtar, Alamgiri].
- Rule: On dry ground the measurement is taken as miles and the total amount of miles are fifty seven and a half {57.5} (we have not mentioned any old measurements used) [Fatawa-e-Razvia, Bahar-e-ShariatJ.

Distance of Travel and the application of Qasr

- Rule: If the distance of three days is covered in two days or less then it is still regarded as a journey and a distance of less than three days is covered in more than three days then it is still not regarded as a journey [Durr-e-Mukhtar, Alamgiri}.
- Rule: A clear route on dry round for a distance of 57.5 miles is covered in a car or train in less than an hour but according to Shariat it is still regarded as a journey and the rules of Qasr and other journey rules will apply [Radd-ul-Mohtar].
- Rule: Only an intention of travelling is not sufficient but they have to leave the area, if it is a city then to leave the city, if it is a town to leave the town and if it is a city then not only the city but it's associated landmarks then the journey has begun [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If the station is outside the area then once reaching the station the journey will begin as long the intention to travel for a 'journey' has been made.
- Rule: It is also necessary for a traveller to make the intention of a distance of more than three days (57.5 miles) from where he starts and if he makes the intention to travel for a distance of two days and then from there he made the intention of travelling another two days distance he will not be a traveller even though like this he may travel the whole world [Durr-e-Mukhtar].
- Rule: It is also necessary for a journey to make the intention of travelling for a continuous distance of three days meaning if a person made the intention of travelling two days and stopping and did some work and then travelled for another day this would not be counted as a journey [Fatawa-e-Razvia, Bahar-e-Shariat].

ORDERS FOR A TRAVELLER

The meaning of Qasr

It is Wajib for a traveller to perform Qasr for Namaz, meaning For four Rakat Farz he should pray two Rakats as for the traveller this the full Namaz.

- Rule: There is no Qasr for Maghrib and Fajr and should be prayed in full. Only for the Farz Namaz of Zohr, Asr and Isha there is Qasr.
- Rule: If a traveller does not perform Qasr then he will be a sinner.

No Qasr for Sunnats

- Rule: There is no Qasr in Sunnat and therefore should be prayed in full. In fact due to fear or if in a hurry you can miss the Sunnats but you cannot pray them as Qasr [Alamgiri].
- Rule: If a traveller instead of praying Qasr he prays the full four Rakats then if he has performed Qaidah in the second Rakat, then his Namaz will count and if he does not perform Qaidah in the second Rakat then his Namaz will be void.
- Rule: A person is a traveller until he returns to his area or makes the intention of staying at the destination for more than fifteen days and this applies when he has travelled for a distance of three days. If he has not yet travelled for a distance of three days and decides to return, he is no longer a traveller even though he might be in a jungle [Alamgiri, Durr-e-Mukhtar].

Conditions of intention when reaching destination

For the intention of reaching destination to be correct there are six conditions, meaning when all six conditions have been fulfilled then he will have finished his full journey, otherwise not.

When you stop walking, if you make the intention whilst walking then you haven't finished your journey.

Wherever you have stopped is fit for stopping, meaning a jungle or boat in a river or ship at sea does not end the journey.

The intention is to stay for fifteen days, if the intention is for less then you will not have finished your journey.

This intention is for one place, if it is for two separate places, i.e. to stay in one place for ten days and the other for five days then you will not have finished your journey.

Your intention is made by yourself and not under the influence of another person who has authority over you and you have total control of your own intention.

- Rule: A traveller is walking and he has not yet reached his destination and makes the intention then he is still a traveller and if he has reached his destination and makes the intention then he has finished his journey even though he may not have found a place to stay.[Alamgiri, Radd-ul-Mohtar].
- Rule: Those who are under the control of someone else then their intention will count and those they are being controlled by, their intention will count. A husband's intention will count a wife's won't. A master's intention will count a slave's intention will not. An officer of the army's intention will count, the soldier's intention will not. Therefore, if the husband made the intention of finishing the journey and the wife did not then both will have finished the journey because the husband's intention will count and the wife's intention will not and in the same way if the wife made the intention of finishing the journey and the husband did not then they will not have finished the journey, and the same rule applies to all those who are dependent on someone else.
  When can a traveller and non traveller follow each other
- Rule: A non traveller can follow a traveller and when the Imam (who is the traveller) performs Salaam after two Rakats the non traveller who is the Muqtadee will stand up and finish his two remaining Rakats but in Qayam he must not pray anything and

remain stood for the length of time it takes to pray Surah Fatiha and then go into Rukooh and finish his Namaz off as normal [Durr-e-Mukhtar, etc.].

- Rule: If the Imam is a traveller then he should state that he is a traveller and when he performs Salaam he should say 'all of you finish your Namaz, as I am a traveller'.
- Rule: If a traveller followed a non traveller meaning the non traveller was the Imam then for the traveller the first Qaidah will become Wajib and will no longer be Farz and therefore if the Imam did not perform the first Qaidah then the Namaz will not become void and if the traveller was Imam then the first Qaidah will be Farz for the non traveller Muqtadees [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: Once a traveller reaches his proper home town then he has finished his journey regardless of making an intention or not.

Definition of proper home town

- Rule: Watn-e-Asli (proper town) is that place where you were born or where people from your family live or you have settled there and the intention is not to move from there. Watn-e-lqamat (Place of stay) is that place where a traveller has made the intention of staying for fifteen or more days [Alamgiri, Bahar].
- Rule: One Watn-e-lqamat makes another Watn-e-lqamat void, meaning you stayed with the intention in one place for more than fifteen days and then went to another place with the intention to stay there for fifteen or more days then the first place is no longer a Watn-e-lqamat even if the distance between the two places is not as long as the distance of travel [Alamgiri, Bahar].
- Rule: If you reached from Watn-e-lqamat to the Watn-e-Asli or travelled from Watn-e-lqamat for a distance of travel (57.5 miles) then the Watn-e-lqamat is no longer Watn-e-lqamat, meaning if you returned to that place and decided to stay less than fifteen days then you will remain a traveller [Alamgiri].
- Rule: If a traveller gets married and even though his intention is not to stay there for fifteen days he is no longer a traveller and if a person has two wives then once he reaches their home in two different places he is not a traveller.
- Rule: A woman marries and then goes to live at her husband's place and lives there permanently then her own home is no longer Watn-e-Asli, meaning if her husband's home is a distance of three days from her parent's home and she does not intend to stay there for fifteen days or more then she must pray Qasr Namaz, and if she has not left her parent's home permanently then when she reaches her parent's home her journey has finished and she must pray the full Namaz [Bahar-e-Shariat].

A Woman cannot travel without a Mahrum

- Rule:It is not allowed for a woman to travel for a distance of three days or more without a Mahrum (her husband or adult relative with whom her marriage is permanently forbidden, e.g. father, brother etc.). In fact she cannot travel for a distance of one day with a child or a person with less intelligence than average without being assisted by her husband or adult Mahrum [Alamgiri, Bahar etc.], it is necessary that the Mahrum is not a big wrongdoer or a person who; has gained disrespect [Bahar-e-Shariat].

PRAYING NAMAZ ON A CONVEYANCE

Whether a person is a traveller due to religion or due to worldly affairs once he leaves the outskirts of his town he can pray Nafl Namaz on his conveyance (vehicle of travel e.g. car, horse, camel etc.) whilst seated and he can perform the Namaz whilst seated and perform

the Rukooh by action and the Sijdah by bending slightly more than the Rukooh. Do not place your head on an ornament to perform Sijdah or put something on it to perform Sijdah as this is not allowed and whichever way the conveyance is going, keep your face pointing that way as to point it in another direction is not allowed even for the Takbeer-e-Tahrima it is not necessary for the face to be towards the Qibla [Durr-e-Mukhtar, Radd-ul-Mohtar].

- Rule: When praying Nafl on the conveyance and the conveyance was urged along by Amal-e-Qalil for example, if you used the heal of your foot or in one hand had a whip to urge the horse then this is allowed and to do this, however, without reason it is not allowed [Radd-ul-Mohtar]. The Farz, Wajib, Sunnats of Fajr, Namaz of Janaza, Namaz of Mannat (fulfilled wish), Sijdah-e-Tilawat of those verses which have been prayed on the ground and those Nafl that had started on the ground and were broken cannot be prayed on a conveyance without reason and if there was a genuine reason then if possible the conveyance should be made to face the Qibla and if this is also not possible then try to perform the Namaz in any way possible [Durr-e-MukhtarJ.

Situations when Namaz can be prayed on a conveyance

- Rule: The reasons whereby the above conditions can be used to pray the Namaz on a conveyance are as follows,
  It is raining.
- It is muddy that if you got out and prayed then your face would be sunk in the mud or would be filled with mud and whatever cloth that is laid will become wet through with mud. If in this situation you do not have a conveyance then you should stand and pray Namaz with actions.
- Your companion will go off without you.
- The animal that is used to travel on is awkward and if you got off you have no-one to help you to get back on.
- You have an illness and it will get worse by coming off the conveyance.
- There is a fear or risk to your life, property or woman.[Durr-e-Mukhtar]

Praying Namaz on a moving train

- Rule: Farz, Wajib or Sunnat cannot be prayed on a moving train. Therefore when the train stops at a station pray these Namaz and if you see that the time is running out then pray the Namaz whichever way possible and then when you get the time repeat the Namaz [Bahar-e-Shariat]. IMPORTANT A moving train should not be mixed with a moving boat or ship because if these are stopped then they wouldn't be stopped on ground and you can touch the ground from the train if you get off and you cannot do that on a ship. It is only allowed to pray Namaz on a ship when it is in mid water, if it is on the shore and you can get off then you must do this as praying on the ship in this situation is not allowed.

Praying Namaz on a boat or ship.

- Rule:To pray Namaz on a moving ship or boat without cause when you can get off and pray it on the ground is not proper.
- Rule: If the boat has come up on the ground and is stable then there is no need to come off and you can pray on it.

- Rule: If the boat is tied on the edge and you have the chance of coming off onto the dry ground and praying then you should do this and if this is not possible then you should pray on the boat whilst standing.
- Rule: If the ship is anchored in the middle then you can pray sitting down if the winds are strong and there is a fear of falling, and if the winds are not that strong then you cannot pray whilst seated.
- Rule: Whilst praying Namaz on a ship to remain facing the Qibla is necessary and therefore if the ship moves you move so that you continue facing the Qibla and if it is happening fast then do not pray Namaz at that time, however, if time is running out then you must pray it [Guniya, Durr-e-Mukhtar, Radd-ul-Mohtar].

JUMA (FRIDAY PRAYER)

Juma is Farz-e-Ain meaning obligatory on all individuals. It's obligation is more important than Zohr and those who reject it is a Kafir [Durr-e-Mukhtar, etc.]. It is quoted in the Hadith that those who miss three Jumas has thrown Islam behind them, and he is a hypocrite and is disassociated from Allah [Ibne-Khuzaima, Imam Shafaee].

- Rule: To pray Juma there are six conditions and if one of these is not fulfilled then the Juma will not count.

Conditions of Juma

- Town or outskirts of town
- Leadership (King)
- Time of Zohr
- Khutba - (Speech)
- Jamaat
- Acceptance by majority.

First Condition - Town or Outskirts of town

Town means a place which has many streets and a shopping centre or markets etc. It also has a district and villages belonging to that district. There must also be a judge or mayor belonging to it whom by his power or authority can ensure people go on trial and justice is upheld, even though he may himself be injustice or does not uphold the law. Outskirts of town mean them places which are constructed because of the town, such as a cemetery, stables for horses, barracks for the army and courts and these are on the outskirts of the town to give service to the town and Juma is allowed there. Therefore the Juma should be either prayed in the city or town or the outskirts of the town, it is not allowed in the villages [Guniya, Bahar-e-Shariat]. Rule: For the town, it's judge or mayor needs to reside there and if he travels and goes elsewhere that place visited will not become a town and the Juma would not be allowed there [Radd-ul-Mohtar, Bahar-e-Shariat]. Rule: If a person who lives in a village goes to a town and intends to stay there that day then the Juma is Farz for them.

Multiple places in a town where Juma can be prayed

- Rule: Juma can be performed in a town in multiple locations and anywhere within the town, whether the town is large or small and the Juma can be in two Masjids or more [Durr-e-Mukhtar etc.]. However, without reason Juma should not be prayed in many

different locations because Juma is a sign of Islam and is a congregation of all Jamaats and if it is spread about in different Masjids then the same show does not remain as you would get in one large gathering and it is because of the sign of all Muslims uniting that it has been allowed and so the gathering should not be split and a Juma should not be done in every street or area unnecessarily.

Who should lead the Juma ?
There is a very important point that people have not been paying attention to and have been treating Juma like other normal Namaz and whoever wishes has started a new Juma and whoever wishes they have lead it, this is not allowed, because leading the Juma is the duty of the king of Islam or his deputies and wherever there is not Islamic rule then the highest qualified scholar who is from the correct faith of Ahl-e-Sunnat Wa Jamaat is the person who substitutes the Sultan of Islam and ensures that the rules of Islamic law are followed should lead the Juma, and without his permission the Juma cannot be performed. If this is not possible then the person who people choose as their Imam has to lead the Juma prayers. Also whilst the majority of people being present some of them cannot make a person an Imam or four people decide on an Imam, this type of Juma is not proven anywhere [Bahar-e-Shariat].

Second Condition - King or leader

Leader means a Sultan of Islam or his deputy whom the Sultan has given authority to lead the Juma prayers. Even if the Sultan is a ferocious person or a good person he can lead the prayers. If a person has forced himself into power and according to Shariat he has no right of becoming an Imam, such as he is not a Qureshi or does not fulfil any other condition he can still call for juma prayer [Durr-e-Mukhtar, Radd-ul-Mohtar etc.].

Third condition - Time

The time of Juma is the time of Zohr, meaning the Juma should be prayed in the time that Zohr is prayed and if in Juma Namaz you got upto praying Attahiyat and the time of Asr started then the Juma Namaz becomes void and you would have to pray the Qaza of Zohr.

Fourth Condition - Khutba (Speech)

- Rule: The condition for the Khutba of Juma is that it is done within the time and is done before the Juma Namaz. It must be performed in front of such a Jamaat which is necessary for Juma and that is a minimum of three men except for the person performing the Khutba. It should be so loud that the people nearby can hear it and if this is not the case or the Khutba is prayed before midday or after the Namaz or prayed alone or prayed in front of women or children then in all these situations the Juma will not count.
- Rule: If between the Khutba and Namaz there is a big gap then that Khutba would not be sufficient [Durr-e-Mukhtar, Bahar-e-Shariat].

What is known as a Khutba

- Rule: Khutba is the remembrance of Allah and therefore even if once 'Alhamdo Lillahi' or 'Subhanallahi' or 'La ila Ha illallah' is prayed, then the Farz would be fulfilled, but to make the Khutba that short is Makrooh [Durr-e-Mukhtar etc.].

- Rule: It is Sunnat to pray two Khutbas and they should not be very long and if they both together are longer than 'Tawal-e-Mufassal' then it is Makrooh especially in the winter [Guniya, Durr-e-Mukhtar, Bahar].

Things that are Sunnat in the Khutba Rule:

- Rule: The things that are Sunnat in the Khutba is;
  - The Khateeb (person praying the Khutba) to be clean and stood up.
  - Before the Khutba the Khateeb to be sat down.
  - The Khateeb to be stood on the Mimbar facing the audience and with his back towards the Qibla.
  - The audience to be paying attention to the Imam.
  - To pray 'A'oozubillah' quietly before the Khutba.
  - To pray with your own voice so loud that the people can hear.
  - To start with 'Alhamdo'.
  - To praise Allah Subhana Wa Ta'ala.
  - To bear witness of Allah's monotheism and to bear witness the prophet-hood of the Holy Prophet Sallallaho Alaihi Wasallam.
  - To send the Holy Prophet Durood.
  - To pray at least one verse of the Holy Quran.
  - In the first Khutba to be words of guidance and advice and in the second Khutba to contain praise and witness and to repeat the Durood and to pray for other Muslims.
  - Both Khutbas to be light.
  - To sit between the two Khutbas for a length of three verses.
  - It is Mustahhab to lower the voice for the second Khutba slightly less than the first one and to remember the great Sahhabis and Hazrat Hamza and Hazrat Abbas Radi Allaho Ta'ala Anhum.

It is better to start the Second Khutba like this:

"Alhamdo Lillahi Nahmadaho Wa Nasta'eenuhu Wa Nastaghfiruhu Wanu'Minu Bihi Wanatawakkalu Alaihi Wa Na'uzubillahi Min Shururi Anfusina Wa Min Sayyi Aati A'malina Mayyahdihillahu Fala Mudillalah Wamayyudlillhu Falaa Haadiyalah Wanash Hadu An La ilaha illallahu Wahdahu La Sharika Lahu Wa Nash Hadu Anna Sayyadina Wa Maulana Muhammadan Abduhu Wa Rasooluh"

If a person is in front of the Imam then he should face the Imam and if he is either on his left or right side then he should turn towards the Imam. It is better to be close to the Imam, however, it is not allowed to cross other people's necks to get there. Although if the Imam has not yet stood up for the Khutba and there is space near the front then it is allowed to go there and if the Imam has already started the Khutba and you then enter the Masjid, then you should sit in the nearest space or corner available. You should sit whilst listening to the Khutba as you sit in Qaidah in Namaz [Alamgiri, Durr-e-Mukhtar, Guniya and Bahar].

- Rule: To praise and exalt a king of Islam which he does not acquire is Haram, for example to call him 'the one who owns people's lives' etc. because this is a lie and is Haram [Durr-e-Mukhtar].
- Rule: Not to pray a verse of the Quran in the Khutba or not to sit between two Khutbas or for the Khateeb to speak whist praying the Khutba is Makrooh. However, if the Khateeb promoted good or forbid evil then there is no harm [Alamgiri, Bahar].

- Rule: To pray the Khutba in another language except Arabic or to mix another language with Arabic is against the Sunnat and is not preferred. Also poetry should not be prayed in the Khutba even if it is in the Arabic language. If the a couple of verses of poetry is said which is about advice and is prayed sometimes then there is no harm [Bahar-e-Shahat].

Fifth Condition - Jamaat

Except for the Imam there must be at least another three men, otherwise the Juma will not count [Hidaya, Shareh Wiqaya, Alamgiri, Qazi Khan].

- Rule: If there are three servants or three travellers or ill people or uneducated or dumb Muqtadees then the Juma will still count. If there are only women or children present then the Juma will not count [Alamgiri, Radd-ul-Mohtar].

Sixth Condition - Acceptance of all

This means that the doors of the masjid are opened so that anyone wishing could attend the Juma, no-one must be stopped or prevented. If in a major Masjid (Jamia Masjid) when everyone gathers, the doors were locked behind then the Juma will not count [Alamgiri].

- Rule: If women are prevented from coming into the Masjid then it won't be against accepting all, as if they came there would be fear of trouble [Radd-ul-Mohtar].

Wajibs of Juma

There are eleven aspects that make Juma Wajib and if even one of these were not fulfilled then it is not Farz but even if he prayed the Juma it will count and in fact for an adult male who is sane it is better to pray the Juma and for a woman it is better to pray Zohr. The conditions are as follows;

1. To be resident in the town or city.
2. Juma is not obligatory on an ill person. The illness must be so bad that the person cannot go to the Masjid where Juma prayers are held or if he did go his illness would get worse or it would delay the illness from getting better [Guniya]. A very old person is treated in the same context as an ill person [Qazi Khan, Durr-e-Mukhtar, Fatahul Qadir].
   Rule: If a person is caring after an ill person and is aware that if he goes to pray Juma the ill person will be under risk and no-one else is available to look after them the for the carer, then Juma is not Farz [Durr-e-Mukhtar, Bahar].
3. To be free. Juma is not Farz on a slave and his master can forbid him [Alamgiri, Qazi Khan].
   Rule: He cannot forbid a worker or employee from going to pray Juma, however, if the Jamia Masjid is far away then he can dock some of his pay and the employee cannot appeal against it [Alamgiri].
4. Juma is Farz on males, it is not Farz on females.
5. To be an adult.
6. To be sane. Both these conditions are not specifically for Juma but for all worship to be Wajib you must be an adult and be sane.

7. To have sight. Juma is not Farz on the blind, however, it is Farz on the blind person who can walk around the streets without help or assistance and can reach the Masjid on his own accord [Durr-e-Mukhtar etc.].
8. The person can walk and therefore is not handicapped. However, if he is lame but can walk to the Masjid, then Juma is Farz on him.
9. Juma is not Farz on an imprisoned person who is in Jail. However, it is Farz for a person who has been imprisoned due to debt and is rich and therefore has the means to pay off the debt.
10. To have fear. If a person has the fear of a king or thief or an oppressor or is worried that he will be imprisoned because he does not have the means to pay off a debt, then Juma is not Farz on them [Radd-ul-MohtarJ.
11. If there is a fear of a storm or flood or snow or hurricane, meaning that it would cause you harm if you went out in this weather then Juma is not Farz.

- Rule: The Imamat of Juma can be performed by those males who can be an Imam in other Namaz, even if Juma is not Farz on them e.g. ill person, traveller, Slave etc. [Durr-e-Mukhtar, Hidaya, Qazi Khan, Fatahul Qadir], meaning when the Sultan of Islam or his deputy or a person whom he has given authority, when they become ill then can still lead the Juma prayers or the person whom the above three have given authority to a person who is a slave or an ill patient or a traveller then they can become an Imam even though Juma is not Farz for them. If a person has been asked to become an Imam by the majority of the public and is worthy of being an Imam in other Namaz, can become Imam even though he may be a person for whom Juma is not Farz, but if a person decides on his own accord to become Imam without authority then the Juma will not count.
- Rule: If Juma is Farz on a person then it is Makrooh-e-Tahrimi to pray Zohr before the Juma prayers have been performed in the town.
- Rule: For an ill person or a traveller or a slave or for anyone for whom Juma is not Farz then for these it is also Makrooh to pray Zohr Namaz with Jamaat in a town whether it be before Juma prayers or after. In the same way if a person missed the Juma prayers then he should pray the Zohr Namaz alone without Azaan or Iqamat, as Jamaat is also not allowed for him [Durr-e-Mukhtar].
- Rule: The Ulema state that those Masjids where Juma is not held then they should be closed during Zohr time [Durr-e-Mukhtar, Bahar].
- Rule: In a village on Fridays the Zohr Namaz should be prayed with Azaan, Iqamat and Jamaat [Alamgih, Bahar]. To go to Juma prayers early and perform Miswaak and to wear nice clean white clothes and to wear scent and use oil on your head and have your hair combed neatly is Mustahhab and to have a bath on Friday before Juma prayers is Sunnat [Alamgiri, Guniya etc.].

Some more Rules of Khutba

As soon as the Imam stands up for the Khutba all Namaz and Zikr and any type of conversation is forbidden. The only exception is that a Sahib-e-Tarteeb can pray his Qaza Namaz. If a person is praying a Sunnat or Nafl Namaz then they should finish it quickly [Durr-e-Mukhtar, Bahar}.

- Rule: Those things which are Hara'n in Namaz such as eating, drinking, performing Salaam or replying to a Salaam etc. are also Haram in Khutba, even giving good advice and forbidding evil is also forbidden, however, the person praying Khutba can give good advice and forbid evil. When the Khutba is prayed then all those who are present must listen and remain quiet as this is Farz, and those people who are a

distance away from the Imam and cannot hear must also remain quiet as this is Wajib on them. If you hear someone talking about something bad then you can indicate with your hand or head but to talk is not allowed [Durr-e-Mukhtar, Bahar].

- Rule: In the state of Khutba you saw that a blind person is going to fall in a well or someone is going to get bitten by a scorpion then you can use your voice, however, if you can indicate to them then you must do this and hence talking will not be allowed [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: If the Khateeb prayed for the Muslims then the people listening cannot lift their hands or say Ameen as this is not allowed. If they did this then they will have committed a sin. Whilst praying the Durood Sharif in Khutba for the Khateeb to look at his left and right side is Bid'at.
- Rule: If the Khateeb said the Holy Prophet Sallallaho Alaihi Wasallam's name then the people listening should pray the Durood in their hearts as it is not allowed to say it with their tongue and in the same way if they heard a Sahhabi's name to say Radi Allahu Ta'ala Annum with their tongue is not allowed and should be said in the heart [Durr-e-Mukhtar. Bahar etc.].
- Rule: Except for the Khutba of Juma to listen to other Khutbas is also Wajib such as Khutbas of Eids or Nikkah etc.

When is it Wajib to prepare and rush for Khutba ?

- Rule: As soon as you hear the first Azaan (One for Khutba) to prepare and rush for Khutba is Wajib and to stop your business as this is also Wajib, upto the extent that if you were shopping in the street then to continue is not allowed and it is worse and a big sin to shop inside the Masjid. If you were eating and you heard the Azaan for Khutba and you were afraid that if you continued eating then you would miss the Juma, then stop eating and go to the Masjid for Juma. Go for Juma io a relaxed and respectable way [Alarngiri, Durr-e-Mukhtar].
- Rule: When the Khateeb stands on the Mimbar then an Azaan should be said in front of him. This does not mean in front of him inside the Masjid as the Ulema of Fiqh have said it is Makrooh to call the Azaan inside the Masjid, so it must be done outside the Masjid (Jamaat Hall) [Alamgiri, Qazi Khan].
- Rule: The second Azaan should also be called loudly as it is a call for all and if someone did not hear the first then they should attend for the Khutba when hearing the second.
- Rule: Once the Khutba has finished the Iqamat should be called straight away without delay. To talk about worldly activities between the Khutba and Jamaat is Makrooh [Durr-e-Mukhtar, Bahar].
- Rule: The person that has prayed the Khutba should also lead the Namaz, not another. If another did lead the prayer then it will still count as long as he has been given the authority to lead.
- Rule: It is better to pray for Juma Namaz in the first Rakat the Surah-e-Juma and in the second Surah-e-Munafiqoon, or in the first 'Sabbihismi' and in the second 'Hal Ataaka', however, do not always pray this but change them sometimes.
- Rule: If you travelled on the day of Juma and was out of the city before midday then there is no harm, otherwise it is not allowed [Durr-e-Mukhtar, Bahar].

Notice. On the day of Juma the souls gather together, hence you should visit the cemetery on this day [Durr-e-Mukhtar, Bahar].

NAMAZ OF EID

Eid (meaning Fitr and Eid ud Duha) Namaz is Wajib but not for all. It is only Wajib for those for whom Juma is Wajib and the conditions for it are the same as those Juma except in Juma the Khutba is Wajib and for Eid it is Sunnat. If the Khutba was not prayed for Juma then the Juma would not count and if it was not prayed for Eid then the Namaz would count but a bad act has been done. The other difference is that in Juma the Khuba is prayed before Namaz and in Eid it is prayed after. If the Khutba is prayed for Eid before the Namaz then a bad act has been done but the Namaz will count and there is no need to repeat the Khutba and there is no Azaan or Iqamat for Eid Namaz, the only thing that is allowed is to say 'AssalaatuI Jamia' twice [Qazi, Alamgiri, Durr-e-Mukhtar].

- Rule: To miss the Eid Namaz without reason is mis-guidance and Bid'at [Bahar].
- Rule: To pray the Eid Namaz in a village is Makrooh-e-Tahrimi [Durr-e-Mukhtar, Bahar].

The following points are Mustahhab on Eid days;

1. To cut your hair
2. To cut your nails
3. To bathe
4. To perform Miswaak
5. To wear good clothes, if you have new then they should be worn, otherwise washed.
6. To wear a ring (which is allowable in Shariat)
7. To wear scent
8. To pray the morning prayer in the Masjid in your area
9. To go to the Eid place (Eid Gaah) early
10. To give Sadqah-e-Fitr before the Namaz
11. To walk to the Eid Gaah.
12. To return back from a different route.
13. To eat a few dates before going to Namaz. They should be either three, five, seven etc. but an odd number. If you do not have dates then eat anything sweet before Namaz and if you do not do this then there is no sin but not to eat anything before Isha, then there will be dissatisfaction [Radd-ul-Mohtar etc.].
14. To show happiness
15. To give Sadqah openly
16. To go to the Eid Gaah respectfully, relaxingly and with your sight lowered.
17. To congratulate each other.

All the above points are Mustahhab.

- Rule: You should not say the Takbeer in a loud voice on the way to the Eid Gaah. [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: There is no harm in going to the Eid Gaah on a conveyance but those who have the strength to walk then it is better to do so and there is no harm to return back on a conveyance [Johra, Alamgiri, Bahar].
- Rule: The time of Eid Namaz starts once the Sun is at the height of a spear and the time remains until midday day. However, it is better to delay the Eid-ul-Fitr Namaz and to pray the Eid-ud-Doha early, and if the time reaches midday before performing Salaam then the Namaz will not count [Hidaya, Qazi Kahn, Durr-e-Mukhtar]. When referring to midday it means midday according to Shariat and which has been explained in the 'time' section

Method of praying Eid Namaz

The method is to make intention for Eid-ul-Fitr or Eid-ud-Doha for two Rakats Wajib and then lift your hands up to your ears and say 'Allaho Akbar' and then fold them below the navel as normal. Now pray 'Sana' and then say Allaho Akbar and lift your hands upto your ears and release them and again lift your hands and say Allaho Akbar and release them again and then lift your hands again and say Allaho Akbar and then fold them. Meaning fold your hands after the first and fourth Takbeer and the second and third Takbeers release your hands. The best way to remember is that if there is something to pray after the Takbeer then fold your hands and where there is nothing to pray release your hands and hang them on the side. After folding your hands after the fourth Takbeer the Imam will quietly pray 'A'oozubillah' and 'Bismillah' and then he will pray 'Alhamdo' and a Surat loudly and then go into Rukooh and Sijdah and complete one Rakat. Then in the second Rakat the Imam will first pray the Alhamdo and a Surat then lift your hands to your ears and say Allaho Akbar and release them and do not fold them and repeat this twice more, therefore a total of three times and on the fourth time say Allaho Akbar and without lifting your hands go into Rukooh. This therefore means that in Eid Namaz there are six extra Takbeers, three before Qirayat and after Takbeer-e-Tahrima in the first Rakat and three after Qirayat in the second Rakat and before the Takbeer for Rukooh. Also in all the extra Takbeers you must lift your hands and between two Takbeers a gap of three Tasbeehs should be made and it is Mustahhab in the Eid Namaz to pray after Alhamdo, 'Surah Juma' in the first Rakat and 'Surah Munafiqoon' in the second or in the first pray 'Sabbih Ismi' and in the second 'Hal Ataaka' [Durr-e-Mukhtar, Bahar]. After Namaz the Imam will pray two Khutbas and whatever aspects are Sunnat in the Juma Khutba they are also Sunnat in the Eid Khutba and whatever aspects are Makrooh in the Juma Khutba they are also Makrooh in the Eid Khutba. There are only two differences and they are that in Juma before the first Khutba it is Sunnat to sit down and here it. is Sunnat not to sit down, and secondly it is Sunnat in this Khutba to pray Allaho Akbar nine times before the first Khutba and seven times before the second Khutba and fourteen times before standing down from the Mimbar and in the Juma Khutba it is not [Alamgiri, Durr-e-Mukhtar, Bahar].

- Rule: If someone joins in the first Rakat after the Imam has prayed the Takbeers then they should say all the three extra Takbeers together even if the Imam has started the Qirayat [Alamgiri, Durr-e-Mukhtar].
- Rule: If you caught the Imam in Rukooh then first of all say the Takbeer-e-Tahrimah and then if you know that you can pray the three extra Takbeers before the Imam lifts his head from the Rukooh then pray the three Takbeers and then join the Imam in Rukooh and if you fear that if you stayed to pray the three Takbeers the Imam would lift his head from Rukooh then go straight into Rukooh and without lifting your hands pray the three Takbeers quietly in Rukooh and whilst you were praying the three Takbeers the Imam lifted his head from Rukooh then you should also lift your head and leave the remaining Takbeers as these no longer need to be prayed [Alamgiri etc.].
- Rule: If you joined in the second Rakat then pray the first Rakat's Takbeer when you stand to pray the missed Rakat [Alamgiri etc.].
- Rule: If you joined in after the Imam had come back up from Rukooh then do not say the Takbeers at this stage but pray them when you pray the missed Rakat [Alamgiri etc.].
- Rule: If you joined the Namaz in the last Rakat just before the Imam performed Salaam then pray your both Rakats with Takbeers when you stand up [Alamgiri etc.].

The Time of Namaz of Eid and Bakr Eid and duration

- Rule: If due to some reason the Namaz was not prayed on Eid day (for example, there was a storm or due to cloud the moon could not be seen and a witness gave a statement after the allowed time for Namaz or due to cloud the Eid Namaz carried over to Midday without the Imam realising) then the Namaz should be prayed the next day and if it cannot be prayed the next day then the Eid-u-Fitr Namaz cannot be prayed on the third day. Also, if the Namaz is prayed on the second day, then the time is the same as for the first day and that is from when the sun has risen upto midday (according to Shariat) and if the Namaz is missed on the first day without a genuine reason then it cannot be prayed on the second day [Qazi Khan, Alamgiri, Durr-e-Mukhtar, Bahar].
- Rule: Eid-ud-Doha is the same in all aspects as Eid-ul-Fitr except for a few differences and that is that it is Mustahhab on Eid-ud-Doha that nothing should be eaten before the Khutba even if you are not going to perform Qurbani and if you do eat then there is no harm. Also to say the Takbeer loudly on the way to the Masjid and the Namaz for Eid-ud-Doha can be delayed unconditionally upto the twelfth (of Zil Hajj) if there was a reason, it cannot be prayed after the twelfth and to pray it after the tenth without reason is Makrooh [Qazi Khan, Alamgiri etc.].
- Rule: If you are going to perform Qurbani then it is Mustahhab that from the first to the tenth of Zil Hajj not to cut your hair or your nails [Radd-ut-Mohtar, Bahar].
- Rule: After Namaz of Eid to perform handshake and embracing like other days to Muslims is a good thing [Washakhal Jeed, Bahar-e-Shariat].

What is Takbeer Tashreeq

The Takbeer Tashreeq is called from the ninth of Zil Hajj from Fajr to the thirteenth of Zil Hajj Asr, after every Farz Namaz that is prayed via main Jamaat and to call it once loudly is Wajib and three times is better. The Takbeer Tashreeq is as follows 'Allaho Akbar Allaho Akbar La ilaha illallah Wallaho Akbar Allaho Akbar Walillahil Hamd' [Tanweerul Absar, Bahar].

- Rule: The Takbeer Tashreeq is Wajib as soon as the Salaam is performed, meaning until an act has not been performed which takes him away from Namaz such as if he broke his Wuzu deliberately or walked outside the Masjid then the Takbeer is void but if the Wuzu broke on it's own accord then you should still say the Takbeer [Radd-ul-Mohtar, Durr-e-Mukhtar, Bahar].

For Whom is Takbeer Tashreeq Wajib and when is it Wajib ?

- Rule: Takbeer Tashreeq is Wajib upon those who live in the city or a person who has made the intention of staying in the city, whether it be a woman, a traveller or a person who resides in a village and if these people do not make the intention of staying in the city then the Takbeer is not Wajib upon them [Durr-e-Mukhtar, Bahar].
- Rule: Takbeer Tashreeq is also Wajib after the Juma Namaz but not after Nafl or Sunnats, however, you should also say it after Eid Namaz [Durr-e-Mukhtar].

NAMAZ OF THE ECLIPSE

Sun Eclipse

The Namaz of Sun Eclipse is Sunnat-e-Maukidah and the Namaz for a Moon Eclipse is Mustahhab. It is Mustahhab to pray the Sun Eclipse Namaz by Jamaat but it can be prayed

alone. If it is prayed with Jamaat then all the conditions are the same as per Juma except for the Khutba. The same person leads this Namaz as the same for Juma and if they are not available then the Namaz should be prayed alone either in the home or Masjid [Durr-e-Mukhtar, Radd-ul-Mohtar].

- Rule: Pray the eclipse Namaz when the eclipse is on the Sun and not after the eclipse has moved. If the eclipse has moved but it is still shadowing the Sun then you can still start the Namaz and whilst there is an eclipse and if a cloud covers it then still pray the Namaz [Johra Nera].
- Rule: If the eclipse occurs during a time where Namaz is not allowed then do not pray the Namaz and perform Dua and if the sun then sets, then finish the Dua and pray Maghrib Namaz [Johra.Radd-ul-Mohtar].
- Rule: The Namaz for Eclipse is prayed like a normal Nafl Namaz, that is two Rakats and in every Rakat one Rukooh and two Sijdahs just like other Namaz.
- Rule: There is no Azaan,Iqamat or praying loudly in the eclipse Namaz and perform Dua after the Namaz upto the time when the sky becomes clear. You can pray more than two Rakats but perform Salaam in either two or four Rakat intervals [Durr-e-Mukhtar, Radd-ul-Mohtar,FatahulQadir].
- Rule: If people do not gather together then call them with these words "AssalaatuIJamia" [Durr-e-Mukhtar, Fatahul Qadir].
- Rule: It is better to pray the Jamaat for the Namaz in either the Eid place or the Jamia Masjid and if it's prayed elsewhere then there is no harm [Alamgiri].
- Rule: If you know them, then pray Surah Baqr and Aal-e-Imran or it's length size Surats and in Rukooh and Sijdah also make them long and after Namaz perform a Dua until the eclipse is over. It is also allowed to delay the Namaz and extend the Dua. It does not matter whether the Imam when performing Dua is facing the Qibla or facing the audience and this actually better and all the Muqtadees should say Ameen and it is also all right for the Imam to lean when performing Dua on the Asa (stick) or wall but not climb the Mimbar as this not allowed [Durr-e-Mukhtar, Bahar, Fatahul Qadir].
- Rule: If the sun eclipse and a funeral Namaz clash together then pray the funeral Namaz first [Johra, Bahar].
- Rule: There is no Jamaat for the moon eclipse even if the Imam is present, all people should pray on their own [Durr-e-Mukhtar, Hidaya, Alarngiri, Fatahul Qadir].

Janaza - Funeral

Illness is a blessing

Illness is also a great gift and there are many benefits from it although by looking at it may seem as if it is giving you difficulty, but in reality it is a source of rest and easiness and the illness that is of the body is actually a great source of medicine for the recovery of the soul.

What is real illness ?

The real illness is the illness of the soul and is something that should be feared and should be seen as a fatal illness. What should really happen is that a person should think of the illness or difficulty as a gift and accept it gladly, if not then at least have patience and understanding and hence by being impatient and complaining why lose the reward that has come your way and by being impatient the illness is not going to disappear but you will lose the reward and gain another problem and many people who are naive use wrong phrases and obtain sin and some in fact even say words of Kufr by blaming Allah of being cruel (may Allah protect us from this). These people destroy their world and afterlife due to these sorts of statement.

Sins are forgiven and reward is given for illness and difficulties

The Holy Prophet SallallahoAlaihiWasallam has stated that the difficulty that a Muslim suffers upto the extent that a thorn pricks them, then Allah Ta'ala forgives his sin [Bukhari, Muslim] and the Holy Prophet also states that if a Muslim is taken ill due to illness or suffers any other sort of difficulty then Allah drops his sins like a tree drops it's leaves [Sahih Bukhari, Sahih Muslim], and the Holy Prophet also states that Allah has set a grade for a Muslim and if they do not reach that grade due to poor actions then Allah tests them by either their health, goods or children and then gives them patience and then makes them reach their intended grade [Ahmad, Abu Da'wood] and he also states that on the day of judgement when Allah rewards themfor their patience the people who had rested and relaxed in this world will wish that only if scissors would have cut their skins and given them that sort of difficulty so that they could be collecting the reward [Tirmizi].

Visiting people who are sick

To visit someone and enquire about their health is Sunnat. It is quoted in the Hadiths that there is a lot of virtuousness in this and the Holy Prophet has stated that when one Muslim goes and visits his other Muslim brother and because he is ill then until his return he has been gathering the flowers from Jannat [Bukhari, Muslim]. It was the Holy habit of the beloved Prophet that when he visited someone he used to say "Laa Baasa Tahurun Insha Allaho Ta'ala" meaning 'there is nothing to worry about, Insha Allaho Ta'ala this illness will purify you from your sins' [Bukhari, Muslim]. The Holy Prophet says that whenever you go to see an ill person ask them to pray for you because their prayer is the same as the prayers of the angels [Ibne Maja] and he has also stated that when one Muslim goes to visit another ill Muslim then they should pray this Dua seven times "As alullahu Azueem Rabbal Arshil Kareem Ayyashfeeka" if death doesn't come then you will get better.

- Rule: If you are aware that if you go to see someone about their health and the patient will not like it then do not go [Durrar].
- Rule: If you went to visit someone and you saw that their situation was bad then do not show this in front of the patient nor shake your head so that the patient will know that their health has deteriorated, but talk to the patient about things that would enlighten them and make them feel better and do not put your hand on their forehead unless that is their request [Durrar].
- Rule: To go and visit a Fasiq (wrongdoer) is also allowed because visiting is a right of Islam and a Fasiq is still a Muslim. If a Christian or Jew is a Zimmi (citizen of an Islamic country) then it is allowed to go and visit them [Durrar]. There is disagreement between Ulema as to whether one can visit fire worshippers if they are Zimmi. A Hindu comes under the same ruling as a fire worshipper and is different to the ruling of those who are followers of the book (Christians, Jews). There are no Zimmis who are Hindu, Christian, Jews, idol worshippers in the subcontinent of India [Bahar-e-Shariat].

The coming of death

One day we will leave this world and death is going to come and we are going to go from here and hence we should prepare for the afterlife where we are going to stay forever and this time should always be remembered and not forgotten.

How should one live here ?

The Holy Prophet has stated that live in this world like a traveller who is on a journey, meaning he lives like a stranger and he doesn't waste time on different routes because he knows he will be wasting time and will not reach his desired destination. In the same way a Muslim should not get stuck in the worldly affairs nor should they get involved with such connections which will divert them from the real destination and objective and should always remember their death as this reminds them of not getting too involved with worldly affairs.

When can one ask for death ?

It is quoted in the Hadith Sharif "Aksiru Zikr Hazihimil Lazzatil Maut", meaning think about a very difficult death but don't ask for death as this is forbidden and if you must ask for it then say 'Oh Allah, keep me alive until life is good for me and give me death when that is the better for me [Bukhari, Muslim] and a Muslim should always have a pious thought in relation to Allah and always remain optimistic for his mercy. It is quoted in the Hadith that no-one dies except with the thought they have had, because Allah has said "Anaa Inda Zanni Abdibi" I treat my servant with the thought they have for me. The Holy Prophet once went to a young person who was close to death and the Holy Prophet said 'How do you see yourself? The young man replied " Oh messenger of Allah, I am optimistic of Allah and scared of my sins" The Holy Prophet replied "Those who have both in their heart i.e. optimism and fear then Allah will give him both, meaning fulfil his optimism and take care of his fear". It is a very tough time when the soul is being extracted, all the actions are dependant on this time and above all faith is in danger because Satan is in desperate attempt to take your faith and whoever Allah protects from his deceit and protects their faith is the one who has reached their desired destination. The Holy Prophet has said that

who's last submission is "La ilaha illallah" meaning the first Kalima will go into Jannat.

When death draws nearer

- Rule: When death is near for a person and you have seen some of the signs then it is Sunnat to lay the person on their right side and face them towards the Qibla. It is also allowed to keep the person flat and point his feet towards Qibla and tuck his head slightly up so that he will face the Qibla and if this is not possible as it would cause the ill person difficulty then leave them as they are [Hidaya, Alamgiri, Durr-e-Mukhtar].

Praying the Kalima

- Rule: At the time of near death when the soul has not yet departed then pray this loudly "Ash Hadu An La ilaha illallahu Wa Ash hadu Anna Muhammadan Rasoolullah", however, do not instruct the ill to pray [Alamgiri, Fatahul Qadir].
- Rule: Once the ill has prayed the Kalima then stop praying it loudly, however, if they say something else then start praying the Kalima again because their last words should be "La ilaha illallahu Muhammadur Rasoolullah" [Alamgiri, Johra].
- Rule: The person praying the Kalima who is close to the ill should be a pious person, not a person who will be happy at the death of the person and therefore to have pious people around at the time is a very good thing and at this time to have 'Surah Yasin' being prayed and sweet smelling perfume is Mustahhab, such as Luban or Incense sticks etc. [Alamgiri].
- Rule: At the time of death a woman on her menstrual cycle or after-birth bleeding can be present [Qazi Khan, Fatahul Qadir, Alamgiri]. However, if a woman has finished her period or a person for whom it is obligatory to bathe should bathe first and should not be present otherwise. Also you should make sure that their are no photographs or dogs in the house and if there are then throw them out immediately because where there are photographs or dogs then the angels of mercy do not enter. At the end time pray for the dying as much as you can and for yourself and do not say anything bad from your tongue because this is the time where angels say Ameen to your prayers, when you see that the ill person is in extreme difficulty pray 'Surah Yasin' or 'Surah Ra'ad' [Bahar-e-Shariat].
- Rule: If at the dying time (Allah forgive) a phrase of Kufr is said then a Fatawa of Kufr is not be given because maybe due to the difficulty, they are not in their senses and have said it unconsciously [Durr-e-Mukhtar, Fatahul Qadir, Alamgiri] and it is also a strong possibility that you may not have understood their words fully as they may miss bits out as they may be in the difficulty of death [Bahar-e-Shariat].

What should be done when the soul is extracted

- Rule: When the soul has come out then get a wide strip of cloth and take it underneath the jaw and over the head and tie it so that the mouth does not stay open and also close the eyes and straighten the hands and feet, this action should be done by the one in the house who can do it most carefully, either father or son [Alamgiri, Johra etc.].

Dua when closing the eyes

- Rule: When closing the eyes of the deceased, you should pray this Dua "Bismillahi Wa Ala Millati Rasoolillah Allahumma Yassir Alaihi Amrahu Wa Sahhil Alaihi Ma Ba'dahu Wa'as'id'hu Bili Kaa'ika Waj'al Maa Kharaja ilaihi Khairam Minima Kharaja Anhu" [Durr-e-Mukhtar, Alamgiri, Fatahul Qadir].
- Rule: Put something heavy on the deceased stomach such as metal or soil to prevent it from blowing up [Alamgiri] however, ensure it is not heavier than necessary so that it may cause inconvenience [Durr-e-Mukhtar, Bahar].
- Rule: Wrap a cloth around the whole body and then lift it onto something with four legs so that the body is not stuck to the floor [Alamgiri].
- Rule: You should ensure that the bathing, Kafan and burial is done quickly because there has been strong emphasis on this in the Hadith Sharif [Johra, Fatahul Qadir].

The dead person's debts

- Rule: If the deceased has any debt or anything owing then it should be cleared as soon as possible because it is quoted in the Hadith that the deceased is worried about their debt and in one narration it is stated that the soul remains stuck until the debt is cleared.
- Rule: If a woman has died and a child is moving in her stomach then the stomach should be cut from the left side and the child taken out.
- Rule: A woman is alive and her child in her stomach has died and it is going to be fatal for the mother then the stomach should be cut and the child taken out, however, if the child is also alive then regardless of the difficulty the stomach should not be cut [Alamgiri, Durr-e-Mukhtar, Bahar].

Method of bathing the deceased

Bathing the deceased is Farz-e-Kifaya and that is if some people gave the body a bath then all are no longer responsible [Alamgiri]. The method of bathing is that first of all where the body is going to be bathed i.e. table, stool or four legged furniture should be made sweet smelling by walking around it three, five or seven times with incense or nice smelling smoke and then lay the body on the furniture and cover the naval to the knees with a cloth. Then the person washing the body should wrap some material around his hands and first of all wash the body's private parts. Then he should perform Wuzu on the body as in Namaz and that is wash the face, then the hands upto the elbows then perform a Masah of the head and wash the body's feet. Do not first wash the hands upto the wrists or wash the inside of the mouth or the nostrils as this is not necessary when washing the deceased. However, get some cotton or a small piece of cloth and wet it and then wipe the teeth and gums and lips with it. Then if the deceased has hair or a beard then wash them with a sweet smelling flower called 'Gull Khairo' and if this is not available then wash it with clean soap which is made from Halal products and if this is not available then just with water. Then turn the body on it's right side and wash the side with water from 'Beri' leaves and then repeat the process on the left side and if this sort of water is not available then clean warm water is sufficient. Then sit the body upright and gently wash the lower part of the stomach and if something is excreted then wash it away but do not perform Wuzu or bath again, then finally wash the whole body with Kafoor water and then slowly slowly wipe the body with a dry piece of cloth.

- Rule: It is obligatory to flow the water over the body once and it is Sunnat to flow it three times. Wherever you are performing the bathing, it is Mustahhab to section the part so that except for the one bathing the body and his helpers no other person can see. Whilst bathing then lay the body as per laving it in it's grave i.e. facing the Qibla and if this is difficult then lay it whichever way is easiest [Alamgiri].
- Rule: A male should be bathed by a male and a female should be bathed by a female, if the dead is a small boy then women can bathe him and if the dead is a small girl then men can bathe her as long as their age is not of adolescence (approx. twelve years for boys and nine for girls) [Alamgiri, Bshar].
- Rule: If a wife dies then her husband cannot bathe her nor touch her but there is no harm in looking at her [Durr-e-Mukhtar].
- Rule: A husband can lift the coffin of his wife and he can lower her into the grave and he can see her face but he cannot touch her body or bathe her as this is forbidden [Bahar-e-Shariat].
- Rule: If a man dies and there are no males present nor'his wife then the woman present should perform Tayammum for the deceased and if the woman is a permissible female (Mahram) or his slave then they can perform Tayammum without wrapping their hands in material and if they are strangers then she must wrap her hands in material before performing Tayammum [Alamgiri].
- Rule: If a person dies where there is no water available then perform Tayammum and pray Namaz-e-Janaza and if water becomes available before burying the body then bathe the body and pray the Namaz of Janaza again [Alamgiri, Durr-e-Mukhtar].

Order for a dead Infidel

- Rule: There is no bathing or Kafan (shroud) for an infidel but wrap it in a large piece of cloth and bury it in a hole and only do this if there is no-one of their religion present, otherwise do not take the body nor should a Muslim touch it nor go to it's funeral [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: Keep both hands of the deceased to their side as to put them on the chest is the method if infidels [Durr-e-Mukhtar], and on some occasions people put the hands below the navel like in Namaz and this is also not correct [Bahar-e-Shariat].
- Rule: For the bathing of the body new empty containers are not necessary but normal household utensils are sufficient and in some houses people then destroy the utensils after bathing the body, this is also not allowed and Haram as it is wasting money and should either be given to the poor or used again by yourself. If they have become impure then wash them clean and if you think that it is impure to keep them in the home then this is also illiteracy and stupidity. Some people throw away the water remaining in the utensil, this is also Haram [Bahar-e-Shariat].

Three grades of Kafan (Shroud)
To give the deceased a shroud (Kafan) is Farz-e-Kifaya [Fatahul Qadir]. There are three grades of a Kafan,

1. Necessity
2. Sufficient
3. Sunnat

For a male it is Sunnat to have three pieces, cover, top and bottom. For females the Sunnat is five pieces, cover, top, bottom, veil and chest-piece.

What is the Sunnat Kafan

The sufficient Kafan for males is two pieces of cloth, the cover and bottom piece. The sufficient Kafan for females are three pieces of cloth, the cover, bottom piece and the veil or the cover, top piece and veil. The necessary Kafan (Farz) is a piece of cloth for both males and females whichever covers the entire body [Hidaya, Durr-e-Mukhtar, Alamgiri, Qazi Khan].

- Rule: The cover should be bigger than the height of the body so that it can be tied at both ends. The Bottom should be so long that it covers from the hair to the feet, meaning only the extra bits that are used on the cover to tie at both ends are longer than the bottom. The top is to cover from the throat to below the knees and is the same back and front. The tradition used in illiterate people is that the back is shorter than the front, this is wrong. The top does not have sleeves or the open collar (used for buttons). The difference between the top of males and females is that the male top is ripped at the collars and the females is ripped at the chest part. The veil is to be three arms length in size meaning one and half yards. The chest part for women is from the breasts to below the naval and it is better to have it upto the thighs [Alamgiri, Durr-e-Mukhtar, Bahar].
- Rule: Without cause having the Kafan less than sufficient is Makrooh and not allowed [Durr-e-Mukhtar, Bahar].
  When can one beg for a Kafan
- Rule: If there is the Kafan that is necessary available then it is not allowed to beg for more, because without necessity begging is not allowed. However, if there is not even the necessary amount of Kafan available then you can beg for the amount to fulfil the necessary required not more, and if a Muslim fulfils the necessary amount without the need to beg then Insha Allah the reward for full Kafan will be obtained [Fatawa-e-Razvia].

Material for the Kafan

- Rule: The quality of the Kafan should be good meaning the same quality as the clothing the male wore on Fridays, Eid days and special days and the female wore when she went to visit her parent's home. It is quoted in the Hadith Sharif that give the dead good Kafan because they meet other dead people and they obtain happiness by looking at their good quality Kafan. It is better to have the Kafan white in colour because the Holy Prophet has stated that wrap your dead in white Kafan [Alamgiri, Guniya, Radd-ul-Mohtar].
- Rule: To have saffron or silk material Kafan is not allowed for males and is allowed for females, meaning, whatever they were allowed to wear in their lifetime, then that material is allowed and whatever was forbidden to wear in the lifetime is also forbidden to be used as Kafan [Alamgiri, Bahar].
- Rule: It is allowed to use Kafan from used material [Alamgiri, Johra].

Kafan for Children

For a girl the age of nine and over, a full woman's Kafan will be given, and for a boy the age of twelve and over a full Kafan of a man will be given. For a girl the age of less than nine

then the Kafan of two pieces can be given and for a boy the age of less than twelve a Kafan of one piece can be given but it is better to give two pieces and it is actually best if the full Kafan is given for both even if the child is one day's old [Qazi Khan, Durr-e-Mukhtar, Bahar].

From who's property should the Kafan be?

- Rule: If the deceased has left some property then the Kafan should be bought from this [Radd-ul-Mohtar].
- Rule: Debt, will, inheritance etc. are all superseded by the Kafan, meaning first the Kafan will be bought then the debts etc. will be fulfilled. Then whatever is left a third will be used to fulfil the will and then the remainder will be given to inheriting relatives [Johra].
- Rule: If the deceased has not left any property then whoever is responsible for the deceased and was responsible for the deceased during their life will provide the Kafan and there is no-one available like this then the Kafan will be given from Bait-ul-Maal (deposit of funds used for Muslims). If there is no funds for Bait-ul-Maal then it is the responsibility of the Muslims there to give the Kafan and if they didn't then they would all be sinners. If the Muslims do not have the material then they can beg for one piece of material for the deceased [Durr-e-Mukhtar, Johra].
- Rule: If a woman died and left some property but still the responsibility of the Kafan is on her husband. The only condition is that no such thing was said before dying which would take the responsibility away from the husband. If the husband died and the woman had some of her own property she would still not be responsible for her husband's Kafan [Alamgiri, Durr-e-Mukhtar].
- Rule: When it is referred that the Kafan is Wajib on such a person, this means Kafan as per Shariat. In the same way the rest of the goods such as perfume, bathing, taking the body to the burial place is all as per Shariat. As for the rest of the goods then if all the relatives gave the person in charge the permission then it is allowed otherwise the onus is on the person who wants to spend the money [Radd-ul-Mohtar, Bahar].

Method of putting the Kafan on

The method is first bathe the body then dry it gently with a cloth so that the Kafan does not get wet. Then incense the Kafan once, three, five or seven times but no more than seven. Then lay the Kafan as follows, first the big sheet (cover) then the bottom the top and then lay the body on top of this and put the top on properly then put perfume on the body and the beard and then put Kafoor on the head, nose, hands, knees and feet. Then wrap the bottom round first left then right side then wrap the cover round, first left side then the right side so that the right side remains on top and then tie from the top and the bottom so that it would not blow open. For a woman, put on the top then part her hair into two and put them over the top on the chest. Then lay the veil from half way down the back and bring it over the head and cover the face like a Naqab and the end is on the chest, so it's length is from the half way down the back to the chest and the width is from one earlobe to the earlobe. Some people put the veil on like they wear it on a day to day basis and this wrong and against the Sunnat. Then wrap the bottom of the cover then on top of it all wrap the chest cover from the breast to the thighs and tie it [Alamgiri, Durr-e-Mukhtar, Bahar].

Method of taking the Janaza (coffin)

- Rule: To lift the Janaza on the shoulder is a form of worship and every person should attempt to perform this worship. The Holy Prophet lifted the Janaza of 'Sa'ad Bin Ma'az' Radi Allahu Anho's Janaza [Johra, Bahar].
- Rule: It is Sunnat to lift each side one by one and then walk ten steps at a time. The proper Sunnat is to first lift the right top side then the right bottom side then the left top side and the left bottom side and then walk ten steps, which means that the total amount of steps taken is forty steps. It is quoted in the Hadith Sharif that those who take the Janaza for forty steps will have forty of their large sins forgiven and those who lift all four sides of the Janaza will definitely be forgiven [Johra, Alamgiri, Durr-e-Mukhtar].
- Rule: When lifting the Janaza, lift it with the hands and place the sides on your shoulders. To put the sides on your neck or back is Makrooh, whichever side you misplace will remain Makrooh.
- Rule: For a small child, if one person walks alone then there is no harm and people should transfer the body one by one.
- Rule: The Janaza should be taken quickly but not so that it would jerk the Janaza [Mujma'ul Anhaar, Durr-e-Mukhtar, Radd-ul-Mohtar, Qazi Khan, Hidaya, Waqiya, Fatahul Qadir, Alamgiri].
- Rule: Those who walk with the Janaza should walk behind it. You should not walk on the right or left side. If someone is walking in front then they should stay that far so that they would not be counted in the group that are walking with the Janaza, and if all the people are in front then this is Makrooh [Alamgiri, Radd-ul-Mohtar, Bahar].
- Rule: It is better to walk with the Janaza on foot and if you are on an animal or in a vehicle then to be in front is Makrooh, otherwise remain a distance ahead [Alamgiri, Sagiri].
- Rule: It is forbidden to take fire with the Janaza [Alamgiri, Hijr].

Reward for going to the Janaza

- Rule: If the deceased is a neighbour or a relative or a pious person then to go to their Janaza is better than praying a Nafl [Alamgiri, Hijr].
- Rule: Those who are with the Janaza should not return home before praying the Namaz and after the Namaz he can return after gaining consent from the friends of the deceased and it is not necessary to gain consent to leave after the burial has taken place [Alamgiri].
- Rule: It is forbidden to talk about worldly affairs or laugh when walking with the Janaza [Durr-e-Mukhtar].

NAMAZ OF JANAZA

The Namaz of Janaza is Farz-e-Kifaya, meaning even if one person prayed it then all would be relieved of the responsibility and if no-one prays it then those who are aware of it will have committed a sin, those who reject the Namaz as Farz is a Kafir.

- Rule: Jamaat is not a condition for this Namaz and if therefore if one person prayed it the Farz will be fulfilled [Alamgiri]. The method of praying the Namaz is first of all to make the intention (I make the intention to pray Namaz for Allah and to perform Dua for this dead person), After making the Niyyat lift the hands upto the ears and whilst saying Allaho Akbar fold then below the navel. Then pray Sana, meaning; "Subhanakallah Humma Wabihamdika Watabarakasmuka Wa Ta'ala Jadduka Wa Jalla

Thana'uka Wa La illaha Ghairuk". Then without lifting the hands say Allaho Akbar and pray the Durood Sharif, it is better to pray the Durood that is prayed in Namaz (Durood-e-lbrahim) and if another Durood is prayed then there is no harm. Then say Allaho Akbar and pray the following Dua for yourself and for the deceased and for all Muslim men and women "Allahummagh Fir Lihayyina Wa Mayyatina Wa Shaahidina Wa Gha'ibina Wa Sagirina Wa Kabirina Wa Zakarina Wa Unthana Allahuma man Ahyaytahu Minna Fa'ahyihi Alal Islam Wa Man Tawaffaytahu Minna Fatawaffahu Alal Imaan. Then say Allaho Akbar and then perform Salaam.

- Rule: If someone does not remember this Dua then any other Dua-e-Masoor will also do such as "Allahumgh Firli Wa Li Walidayya Wa Lil Mu'mineena Wal Mu'minaati Wal Muslimeena Wal Muslimaati Al Ahya'i Minhum Wal Amwaat Innaka Mujibbud Da'wat Birahmatika Ya Arharrahimin.
- Rule: Out of all the four Takbeers of Namaz-e-Janaza, only lift your hands on the first Takbeer and not for the other three. At the fourth Takbeer, without praying anything else perform salaam and release your hands.
- Rule: If the deceased was either insane or a male child then after the third Takbeer, pray this Dua"AllahumajAlhooLanaFarataw Waj'alhoolanaAjraw Wa ZukhrawWajAlhoolana Shafi'aw Wamushaffa'a" and if it a girl then replace the words "Alhoolana" with"Alhalana" and "Shafi'aw Wamushaffa'a" with"Shafi'ataw Wamushaffa'ah". Insane in the above text means that he/she became insane before becoming an adult [Guniya,Bahar].
- Rule: In the Salaam ensure that the intention is for the deceased, the angels and the present [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: The Takbeer and Salaam should be prayed by the Imam loudly, and the rest quietly.
- Rule: There are two Farz in Namaz-e-Janaza;
    - Qayam - Standing
    - All four Takbeers
- There are three Sunnat-e-Maukidas in Namaz-e-Janaza which are;
    - To praise Allah
    - To pray the Durood
    - To pray for the deceased.
- Rule: Because to stand is obligatory then if the Namaz is prayed without real reason seated or on a vehicle or animal then it won't count and if the friend and person in charge is ill or the Imam is ill and prayed the Namaz seated and the Muqtadees prayed it stood up then the Namaz will count [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: Those who have missed some of the Takbeers should pray them after the Imam performs Salaam and if they are worried that if they remain to pray the Duas, people will take the body on their shoulders then they should just pray the Takbeers and miss the Duas [Durr-e-Mukhtar].
- Rule: If a person comes after the fourth Takbeer has been said but the Imam has not performed Salaam then they should join in and when the Imam performs Salaam he should say 'Allaho Akbar' three times after [Durr-e-Mukhtar].
- Rule: Every act that breaks the Namaz also breaks the Namaz of Janaza except one thing and that is if women and men touch each other the Namaz of Janaza does not break [Alamgiri].
- Rule: The same conditions which are for normal Namaz are also for the Namaz of Janaza, meaning:
    - Cleanliness of the body.
    - Cleanliness of the clothes
    - Cleanliness of the place
    - Covering of the body
    - Facing the Qibla

- Intention - although there is no fixed time for this and the Takbeer-e-Tahrima is a part of it not a separate condition. [Durr-e-Mukhtar].

The condition for the deceased is that it is bathed and a Kafan is put on the body and if the bathing is not possible then to perform Tayammum on it and the Kafan is clean even though it may get dirty later and the body is put in front on the floor because if it is put on something or ar, animal then the Namaz will not count.

Whose Janaza Namaz. should not be prayed

- Rule: The Namaz of Janaza should be prayed for all Muslims regardless of whether they are grave sinners. There are however, a few exceptions to this and these are ; A traitor who fights against a correct Imam and dies fighting against the Imam. A robber who dies whilst raiding someone, then he should not be given a bath nor should his Namaz of Janaza be prayed. Those who have killed a few people by strangling them. Finally a person who has killed his or her parents, then their Namaz of Janaza should not be prayed [Alamgiri, Durr-e-Mukhtar, Bahar].
- Rule: The first right for being the Imam of A Janaza Namaz is for the Sultan of Islam, then the judge (Qazi), then the Imam who leads the Juma prayer, then the Imam of the local Masjid, then the close relative or friend of the deceased (Wali). The right of the Imam of the local Masjid over the Wali of the deceased is Mustahhab and this applies when the Imam is more pious than the Wali, otherwise the Wali holds the right. [Guniya, Durr-e-Mukhtar].
- Rule: Wali means the deceased person's relatives and when leading the Namaz the routine is the same for the relatives as with Nikkah, except for the only difference is that in Nikkah the son has first right over father for being a Wali and in Janaza the father has right over the son, except in the case where the son is a scholar (Alim) and the father is not, in which case the son would have the first right. If there are no relatives then the pious people of the non relatives have the right [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If the close relative who is the Wali is not available and a distance relative is available then the distant relative will perform the Namaz. Not available means that they are so far away that it would be difficult to wait for them [Radd-ul-Mohtar].
- Rule: If there are no relatives of a woman then the husband should pray the Namaz and if he is not available then a neighbour, in the same way if there are no relatives for a male then the neighbours hold the right [Durr-e-Mukhtar, Bahar].
- Rule: There is no necessity to gain final permission for the Janaza of a female or child.

Rows for Namaz-e-Janaza

- Rule: It is better that there are three rows for Namaz-e-Janaza as it is quoted in the Hadith that if there are three rows for a person's Janaza Namaz then they will be forgiven. If there are only seven men, then one should be the Imam, three stand in the first row, two in the second row and one in the third row [Guniya, Bahar].
- Rule: It is Mustahhab that the Imam stands near to the deceased's chest and not far away.

Namaz of Janaza is not allowed inside the Masjid

- Rule: To pray the Namaz-e-Janaza inside the Masjid is totally Makrooh-e-Tahrimi, whether the body is inside the Masjid or outside, whether all the Namazees are inside the Masjid or some [Durr-e-Mukhtar].
- Rule: If a person died on the day of Juma and it is possible to complete everything before the Juma Namaz then this should be done, to delay it after the Juma Namaz with the thought that more people will be able to attend is Makrooh [Radd-ul-Mohtar].
- Rule: If the body has been buried and covered with soil without praying the Namaz then the Namaz should be prayed on the grave as long as you are aware that the grave has split and if the body has been buried but not yet covered with soil, then the body should be lifted out and the Namaz prayed and then buried again [Radd-ul-Mohtar, Durr-e-Mukhtar].

Dead child's burial and Kafan

- Rule: If a Muslim person's child is born alive and then dies, then it should be bathed, a Kafan put on and Namaz-e-Janaza prayed, then buried. If the child is born dead then, wash it and wrap it in a clean cloth and bury it, there is no Namaz nor is the bathing or covering done in the Sunnat method.
- Rule: If a child is born with the head first and was alive until the chest appeared then it dies, it will be regarded as born alive and then died. If a child is born breach or legs first and then is alive until the waist comes out and then dies, then it will be regarded as born alive and then died. If it dies before coming this far out then it will be regarded as.dead even if it's voice was heard [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If a child is born alive or dead, whether it was fully formed or half formed, it should be given a name and on the day of judgement it will be accounted for [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: If a Muslim's child is delivered by an infidel woman and she was not his wife, meaning it was an illegitimate child then it's Namaz of Janaza should still be prayed [Radd-ul-Mohtar].
- Rule: It is Farz-e-Kifaya to bury the body.

Size of the grave

- Rule: The length of the grave should be at least the body's length in size and the width should be at least the half size of the length and the depth should be at least half the size of the length and preferably the depth should be the full size of the length otherwise the middle answer is to have the depth upto the chest [Durr-e-Mukhtar]. The depth means that the coffin or the inner grave is this deep not fror-i ground level.

Grave or Coffin

- Rule: There are two types of graves. The first is called 'Lahad' and this is a side pocket grave facing Qibla and the grave is dug with this pocket grave and the dead is placed in the pocket grave. The second is the standard coffin style grave and the body is lowered into the grave flat. The Lahad style is Sunnat but if it is not possible then there is no harm using the coffin style [Alamgiri, Bahar, Qazi Khan, Johra etc.].

The part of the grave where the body of the deceased is touching the grave, to have proper brick built is Makrooh [Alamgiri, Qazi Khan].

- Rule: To spread a table type cloth etc. at the bottom of the grave is not allowed as this is unnecessary use of goods [Durr-e-Mukhtar, Bahar].
- Rule: The people who go into the grave to lower the body whether it be three or four or as many required should be pious and of good character, because if they see something that is not worthy of mentioning it should not be mentioned and if they see something as is worth praising then it should be talked about [Alamgiri].
- Rule: It is Mustahhab to put the body into the grave from the Qibia side not so that it is lowered from the feet end then brought towards the Qibia [Durr-e-Mukhtar, Alamgiri, Fatahul Qadir].

Who should lower the body of a female?

- Rule: The people lowering a female body should be her Mahrum (from whom a Pardah is not necessary) and if they are not available then other close relatives and if this is not possible then pious Muslims can lower the body [Alamgiri].
- Rule: When placing the body into the grave pray this Dua "Bismillahi Wa Billahi Wa Alaa Millati Rasoolillah"[Durr-e-Mukhtar, Alarngiri].

The deceased's side and face

- Rule: Lay the deceased on their right side and point their face towards the Qibla. If you forget to point their face towards the Qibla but remember after the coffin is closed then re-open the coffin and point their face towards the Qibla, and if you forgot and the soil is filled and the grave is closed then do not re-open the grave to point the face towards the Qibla, in the same way if the body is laid on the left side or the feet are where the head should be, then if you remember before the soil is put back on the grave then change it to the correct position otherwise leave it [Alamgiri, Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: After placing the body in the grave then you can release the tightening of the Kafan as it is no longer necessary and if you do not then there is no harm [Johra, Bahar].
- Rule: After placing the body in the grave then replace the grave with raw soil and if the soil is soft then you can use planks of wood to support it as pillars, and if there is a gap between the pillars then fill it with soil and the same rule applies to a coffin [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: If the Janaza is of a woman then until it is lowered into the grave and the planks of wood are put across then keep the grave area partitioned with a cover. Do not cover a male's grave however, if there is a problem with the deceased face etc. then there is no harm in covering it. For a female ensure that the area is covered [Johra, Durr-e-Mukhtar, Bahar].

When soil is given and how and what should be prayed

- Rule: Once the planks of wood are put across the grave then start putting the soil back on. It should be started from the head side and picked up with both hands and dropped three times. When dropping it the first time pray "Min'ha Khalaqnaa'kum" then at the second throw pray "Wa feeha Nu'eedukum" and on the third throw pray

"Wa Min'ha Nukhrijukum Taa'ratan Ukhra". The rest of the soil should be put on the grave using a shovel or spade etc. and to put more soil in the grave than what came out is Makrooh [Alamgin, Johra].

- Rule: The soil that is stuck to the hand can either be shaken off or washed off, whatever is preferable [Bahar-e-Shariat].
- Rule: The grave should not be made completely square but there should be a dip in it like the humps of a camel. There is no harm in sprinkling water on the grave but in fact it is better to do so and the grave should be one span tall or slightly higher [Alamgin, Durr-e-Mukhtar].
- Rule: If a person dies on a ship and land is not near then they should be bathed and a Kafan put on and lowered into the sea [Guniya, Radd-ul-Mohtar].

To make domes or pillars on a grave and to make it solid

- Rule: To make a dome or pillars etc. on top of a grave of Ulema or Saadaat then there is no harm, but it should not be made solid [Durr-e-Mukhtar, Radd-ul-Mohtar] meaning it must not be made solid from the inside , and if it is raw soil on the inside of the grave and made with brick on the outside then there is no harm [Bahar-e-Shariat].
- Rule: If it is necessary then you can write on the grave to mark it, but do not write where the wording may be open to disrespect [Johra, Durr-e-Mukhtar].
- Rule: It is better to bury someone in a cemetery where there are graves of the pious people.
- Rule: It is Mustahhab to pray after burial the start and the end of Surah Baqr, the starting is from 'Alif Laam Meem to Muflihoon', and the end half is from 'Aamanarrassoluh to the end of the Surat' [Johra, Bahar-e-Shariat].

Respect of the Grave

- Rule: To sit, sleep, walk, excrete and urinate on a grave is Haram. You should walk where there has been a new pathway allocated, whether you are aware that the pathway is new or you just think that is the case [Alamgiri, Durr-e-Mukhtar, Bahar].
- Rule: If you wish to reach a relative's grave but to get there you will have to walk on other graves then this is forbidden and therefore pray the Fatiha from a distance. You should not wear shoes inside the graveyard, because once the Holy Prophet saw a person wearing shoes he said "take you shoes off, do not make it difficult for the buried and they will not make it difficult for you" [Bahar-e-Shariat].

Time and day of Ziyarat (remembrance and visiting)

To go and visit the graves is Sunnat. You should go once a week, either on Friday, Thursday, Saturday or Monday is all valid. The best time is in the morning on a Friday. It is allowed to go and travel to the graves of the Aulia-e-Kiram and the Aulia provide benefit for those who do this. If you see something there which is against the Shariat such as facing women or hearing music then do no not stop going, but think of it as bad and try and avoid it because to stop a pious act because of seeing bad things is not correct [Radd-ul-Mohtar, Bahar].

- Rule: It is a wise thing that women should be stopped from going visit the graves [Radd-ul-Mohtar,Fatawa-e-Razvia, Bahar].

Method of visiting the graves

The method is to enter from the feet side of the buried and stand facing them and say this "Assalaamu Alaikum, Ya Ahia Daar'e Quamin Mu'mineena Antum Lanaa Salfuw Wa Insha Allanu Bikum Lahiqoon Nas'alullaha Lana Walakumul Afwa'Wal Aafiyata Yarahamullahul Mustaqdimeena Minna Wal Musta'akhireena Allahumma Rabbul Arwaahil Faaniyah Wal Ajsaadil Baaliyah Wal Izaamin Nakhira ad Khil Haazihil Quboora Minka Raw'haw Wa Reehanaw Wa Minna Tahyataw Wasalaama". Then pray the Fatiha and if you wish to sit then sit at the same distance when you sat near him when he was alive [Radd-ul-Mohtar].

- Rule: Do not approach the grave from the head side of the buried as it will cause the dead pain, meaning that they will have to turn their head to look at you [Radd-ul-Mohtar, Bahar]

Sending Sawab (Reward) to the deceased

- Rule: When visiting the graveyard pray 'Alhamdo Sharif and Alif Laam Meem upto Muflihoon and AyatuI Kursi and Amanarrasooluh to the end of the Surat. Also pray Surah Yaseen and Tabarakal Lazi and Alhakurnttakassu once each and pray QuI Huwallaho Ahad either twelve, eleven, seven or three times and then send all the reward to the dead. It is quoted in the Hadith Sharif that those who pray QuI Huwallaho Ahad eleven times and then send the reward to the dead, then he who sends it will gain reward equivalent to the amount of dead people [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].

Eesaal-e-Sawab

The reward for praying Namaz, Fasting, Zakat, Hajj, Sadqah (Charity), Lillah and all other pious acts Farz and Nafl can be passed to the dead. The reward would reach all of them and the reward of the sender would not be reduced in the slightest and it is of optimism and wish that with the mercy of Allah every person would receive the same amount of reward and that is all of it and it would not be split or shared and therefore not reduced [Shareh Aq'aid, Hidaya, Alamgiri, Radd-ul-Mohtar] and it is hoped that the total amount of reward will be given to the sender, for example, if a person performs a pious act which would carry ten rewards and then he sends that to ten dead people, the dead would all receive ten rewards each and the sender would receive one hundred and ten rewards, and if it was sent to a thousand dead people then the sender would gain one thousand and ten rewards [Fatawa-e-Razvia, Bahar].

- Rule: It is forbidden to kiss or perform circles around the grave [Bahar Shariat, Ash'atuI Lam'aat].
- Rule: It is a good thing to put flowers on the grave because whilst they remain wet they will perform the Tasbeeh of Allah and satisfy the heart of the deceased [Durr-e-Mukhtar, Bahar] and in the same way to put a blanket of flowers on the Janaza, there is no harm [Bahar-e-Shariat].

- Rule: Wet grass should not be removed from the grave because the wet grass prays the Tasbeeh of Allah and gives rest to the buried and if it is removed then you have committed unjust for the deceased [Radd-ul-Mohtar, Bahar].
- Rule: It is allowed to put on a Ghilaf (blanket) on the graves of Aulia and Ulema when it is recognised that the person in the shrine is respected by majority and people are aware of the holy person's status and gain auspiciousness from the Holy Person who is resting.

Food For the deceased

- Rule: If the family of the deceased invite guest for food on the third or the fortieth day then it is a bad Bid'at and is not allowed, because as per Shariat to invite guest for food is done on a happy occasion not on a sad occasion, however if you feed the poor and the needy then it is better [Fatahul Qadir]. Money from the goods of the deceased use to make food for the third day etc. is not allowed, once the goods have been distributed then if someone wishes to contribute then this is all right [Khaniya etc.]. it is a good thing if the neighbours or distant relatives bring food for the family of the deceased day and night and comfort them and make them eat [Radd-ul-Mohtar, Bahar].
- Rule: The food that is sent for the family of the deceased should only be eaten by the family and excess food should not be sent, as for others to eat this is not allowed [Bahar-e-Shariat] and to send food for the first day is Sunnat and after this is Makrooh [Alamgiri, Bahar].

Moaning and Wailing for the dead

To scream and wail and perform lamentation about the deceased in a gathering is Haram and the same way to scream and shout the forthcoming difficulties is also Haram [Johra, Nera].

- Rule: To rip your clothes, rub your face, undo the hair, to beat your head, to beat your chest are all methods of illiteracy and are all Haram [Alamgiri]. It is quoted in the Hadith that those who hit their face or rip their clothes and scream illiterate words are not with me [Bukhari, Muslim]. It is quoted in another Hadith that those who beat their head and scream out and rip their clothes, I am unhappy with them.
- Rule: It is not permissible to cry with sound but if no sound is heard then there is no harm because to cry like this is proven for the Holy Prophet because at the passing away of his son the Holy Prophet had tears in his eyes and he stated that Allah does not punish for tears from the eyes or sorrow in the heart, however, he punishes due to the sound of the mouth nor does He perform mercy and because of those who cry loudly the deceased feels pain and also cries [Johra, Bahar, Bukhari, Muslim]. Sorrow - It is not permissible to perform sorrow for more than three days, however, the wife at the passing away of her husband performs sorrow for four months and ten days [Bukhari, Muslim].
- Rule: Those who remain patient during times of difficulty obtain two lots of reward, one for being patient and the other for the difficulty and those who don't remain patient and scream etc. lose both rewards [Radd-ul-Mohtar]. It is quoted in the Hadith Sharif that when a Muslim man or woman are fronted with difficulty then when remembering it pray 'inna lillahi Wa inna ilaihi Raji'oon' even if plenty of time has passed since the difficulty as Allah gives new reward and the reward is the same

as that given at the initial time of difficulty.

Ta'ziyyat (Comfort and sorrow)

Ta'ziyyat means to pray that Allah forgives the deceased and protects them with His mercy and gives the family strength and patience and reward them for suffering. The Holy Prophet performed Ta'ziyyat in these words 'Lillahi Maa Akhaza Wa Aa'taa Wa Kullu Shay'in indahoo Bi aJalim Musammaa' It belongs to Allah and He has taken it back and everything to Him has it's fixed time" [Alamgiri etc.]

- Rule: It is Mustahhab to perform Ta'ziyyat to all the relatives of the deceased, small, large, male, female, however, for the females only their Mahrams perform Ta'ziyyat [Alamgiri, Bahar].

SHAHEED - MARTYR IN ISLAM

Martyr's are alive

Allah Ta'ala states 'Wala Taquioo limay.......' meaning, those people who die in the path of Allah do not call them dead, because they are alive but you are not aware, and He also states 'Wala Tahsabannal Lazeena Qutiloo......ila Ajral Mu'mineen' meaning, those people who have died in the path of Allah, do not think of them as dead but they are alive at their Lord's place, they are given wealth and whatever Allah has given to them from His virtue they are happy, and those that they have left behind then there is good news for them and that is they have no fear nor are they worried and the Martyr's wish for Allah's gifts and virtue and that those who give with Imaan (their life) then Allah does not let that go to waste and there are many Hadiths explaining the virtues of the Martyrs.

Shaheed are exempt from bathing and shroud

- Rule: The Shaheed are not to be given a bath nor is their blood to be washed nor do they have a shroud put on them. In fact they should be kept as they are and the Namaz of Janaza should be prayed and then covered. However, if the clothing that they are wearing is less than the Sunnat requirement then it should be added and made up to the Sunnat requirement but the trousers should not be taken off. If the Martyr is wearing extra to the normal clothing such as a scarf, shoes or a sword holder etc. then these should be taken off [Hidaya etc.].

Conditions for not giving the Shaheed a Bath

- Rule: For the Shaheed not to be given a bath there are seven conditions which have to be met and if even one is missed then the bath should be given.
    - The Shaheed must be a Muslim
    - The Shaheed must be within their senses (not insane)
    - The Shaheed must be an adult
    - The Shaheed must be clean (pak) i.e. Bathing was not compulsory on them
    - The Shaheed must not have died due to punishment (executed due to Islamic law)
    - The Shaheed must have been killed by a weapon (sword, dagger, gun etc.)
    - The Shaheed must not have been killed by mistake

- The Shaheed must not have gained any advantage from the world after becoming injured.

It is a great quality and excellence of Shaheed in this world that their blood is regarded as clean their body is regarded as clean and their clothing that they are wearing is regarded as a shroud, and as for the next world their quality and excellence leaves nothing to be desired.

- Rule: If a thief, robber, warrior or a traitor kills someone then whether it be with a weapon or some other item they are regarded as Shaheed and they should not be bathed [Hidaya, Radd-ul-Mohtar etc.]. Gaining advantage from the world means after becoming injured the Shaheed eats something or drank something or slept or was treated for his injuries or stayed in the tent or one whole period of Namaz passed whilst the person was conscious (as long as the person has the power to pray Namaz) or the person got up from the injury ground and moved somewhere else or was taken by others away from the battlefield whether he reached his destination alive or died on the way or gave some instructions about a worldly action or bought something or sold something or talked about a lot of things then in all these situations the bath should be given as long as these happened after the battle and if they happened in between the battle and these things did not stop the killing then a bath is not to be given.
- Rule: If a Muslim is killed by another Muslim deliberately without justice the deceased is regarded as a Shaheed and should not be given a bath.
- Rule: If a person was killed whilst protecting their life or property or trying to help another Muslim then they are regarded as a Shaheed (meaning a bath should not be given) whether they have been kitted by a piece of metal, stone or stick [Alamgiri].
- Rule: To take off all the clothes of a Shaheed and replace them with clean clothes is Makrooh [Radd-ul-Mohtar, Alamgiri].

Roza (Fasting)

Obligation of Fasting

The rule for Fasting is similar to Namaz and is Farz-e-Ain and those who reject to believe it as obligatory (Farz) is a Kafir and those who miss it without genuine reason is a big sinner and will receive punishment in hell. Those children who have the strength should be made to keep a fast and strong boys and girls should be forced to keep a fast (a few slaps not with a stick) [Durr-e-Mukhtar]. Fasting for the whole month of Ramadan is obligatory.

Description of fasting and age for beginning

According to Shariat, the definition of a fast is make the intention to fast for the sake of Allah from the break of dawn to sunset and to refrain from eating, drinking or having sexual intercourse. For fasting, a woman has to be clean from menstruation or bleeding after childbirth meaning, the fast will not count for a woman on her period or still bleeding after childbirth. It is obligatory for a woman on her period or bleeding after childbirth to fast after her state of bleeding is over and she is clean from it, meaning to make Qaza for the missed Roza. Fasting is not obligatory for children or for an insane person as long as they remain insane for the whole month of Ramadan, and if they gain sanity any period in the middle and it is still within the allocated time for intention, then they must make the intention and fast from that day onwards and the Qaza is necessary for the whole month, for example, if a person was insane from the first of Ramadan and gained sanity on the twenty ninth day from the break of dawn until midday then they will have to perform Qaza for whole month's fasts [Radd-ul-Mohtar].

Allocated time for the intention of Fasting

- Rule: The fasts of Ramadan, fixed time promised fasts, voluntary, Sunnat, Mustahhab, and Makrooh fasts, the time for the Niyyat is from sunset upto midday and if an intention is made from any time between this allocated time then the Fast will count but it is better to make the intention from night-time. Except for these six types of fasts all other Fasts (such as, Qaza for Ramadan, Qaza for Nafl, non fixed time promised fasts, compensation Roza i.e. Kaffara, Fasting for your sins and Roza for Tamattao) the time is from sunset upto the beginning of the break of dawn not after this and the mentioning of the exact fast being performed is necessary, for example, I am keeping a fast for the 28th missed Ramadan Roza, or I am keeping a promised fast for such and such a thing being fulfilled [Durr-e-Mukhtar].
- Rule: The intention for the Roza must be made before midday and if it is made as soon as the sun reached midday then the fast will not count [Durr-e-Mukhtar, Bahar].

The meaning of the intention

- Rule: Just as it was explained for other forms of worship, intention means to fix a firm thought in your heart, it is not necessary to say the intention, in the same way the intention for the fast is done the same way, however, it is better to say it with the tongue. If the intention is made at night then say "I have made the intention for the fast of Ramadan for Allah which 1 will keep tomorrow" and if the fast is made

before midday then say " I have made the intention for the fast of Ramadan for Allah which I will keep today" [Johra, Bahar].

- Rule: If the intention is made in the day (before midday) then it is necessary to make the intention that I have been fasting from the break of dawn and if you make the intention that I will start fasting from now not from the break of dawn, then the Roza will not count [Johra, Radd-ul-Mohtar, Bahar].

Fasting on doubtful days

- Rule: The rule for fasting on the thirtieth of Shabaan when you are not sure whether it is the thirtieth of Shabaan or the first of Ramadan, then to fast with the sole intention of Nafl is allowed but to fast with the intention that if it is the first of Ramadan then it is my first Ramadan Roza and if it is not the first of Ramadan then it is a Nafl Roza then this is Makrooh-e-Tahrimi. However, if the thirtieth falls on a day where you always fast on that day then it is better to fast on that day, for example, if you fasted every Thursday and the thirtieth of Shabaan was on a Thursday then it is better to fast that day as a Nafl fast [Durr-e-Mukhtar, Radd-ul-Mohtar etc.].
- Rule: On a day where there is uncertainty then you should wait until midday and if the news of seeing the moon arrives then fast that day and if no news arrive then eat and drink [Durr-e-Mukhtar].
- Rule: To fast at the end of Shabaan for only one or two days is Makrooh and if you fast for three or more days then it is not Makrooh. Rule: To fast on the day of Eid is Makrooh-e-Tahrimi, also the same rule applies on fasting on Bakr-e-Eid and also on the eleventh, twelfth and thirteenth of Zil Hajj.
- Rule: To fast for Sunnat or Nafl Roza for only one day is Makrooh-e-Tanzihi, for example, to fast on the tenth of Moharram is Sunnat but to fast only on that day is Makrooh and if you fast on the ninth then there is no problem and there is also no problem in fasting on the tenth and eleventh. Rule: It is Makrooh-e-Tanzihi for a woman to fast a Nafl Roza without the permission of her husband.

To make a promise to fast

- Rule: If you made a promise to fast if your prayer was fulfilled, then that fast become Wajib as soon as your prayer is fulfilled. Rule: If you was fasting a Nafl Roza and you broke it then to perform it's Qaza is Wajib.

THE SIGHTING OF THE MOON

The Holy Prophet Sallallaho Alaihi Wasallam has stated that start fasting by seeing the moon and finish fasting (celebrate Eid) by seeing the moon, and if there is cloud then finish Shabaan by completing thirty days [Bukhari, Muslim]. He has also reported that do not start fasting unless you see the moon and do not stop fasting until you see the moon and if there is cloud and you cannot see the moon then complete the thirty days [Bukhari, Muslim].

Which months is it Wajib to see the moon ?

- Rule: It is Wajib-e-Kifaaya to see the moon for five months. These are Shabaan, Ramadan, Shawwal, Zil Qad and Zil Hajj [Fatawa-e-Razvia].

- Rule: Attempt to see the moon on the twenty-ninth of Shabaan in the evening and if you can see it then keep fast the next day and if you can't then complete thirty days of Shabaan and then start Ramadan [Hidaya, Alamgih, Bahar].

Proof of moon when skies are not clear

- Rule: If the skies are not clear meaning there is cloud or smoke then only the proof of Ramadan will be counted if one Muslim who is sane and is an adult and is pious and a follower of Shariat, then his oath will be accepted, whether the person is a male or female. Except for the beginning of Ramadan all other month's proof has to be given by either two men or one man and two women and they all have to be pious and they have to say "I bear witness that I have seen the moon personally" then the proof of the moon will be accepted [Hidaya, Durr-e-Mukhtar, Baharetc.].

Definition of a pious person

The definition of a pious person in this text is a person who refrains from large sins and does not make a habit of committing small sins and is a person who does not perform acts which are against the respect of society such as eating whilst walking in the town.

Definition of a person following Shariat

A person who by looking at them follow the Shariat but you are unaware of his hidden activities [Radd-ul-Mohtar, Radd-ul-Mohtar, Bahar].
Rule: Whoever sees the moon and is a pious person then it is Wajib for them to give oath that night. Rule: If the moon is seen in the village by a person and there is no Islamic judge or ruler then the people of the village should be gathered and the oath should be given and if the person giving oath is a pious person then it is necessary for the village people to fast the next day.
Rule: When the sky is not clear then the proof for Eid has to be given by a Muslim, sane, adult, pious and a follower of the Shariat and there has to be either two men or one man and two women and only then the oath will be accepted [Hidaya, Durr-e-Mukhtar etc.].

Proof of moon when skies are clear

- Rule: It the skies are clear then until a lot of people do not give witness the oath will not be accepted (whether it be for Ramadan, Eid or any other month). The question remains as to how many people there should be, then this is upto the Islamic judge and when he is satisfied with the amount of people then he will declare it official. If the witnessing is given because the moon has been seen outside the city or from a high place then only one pious person's oath can be accepted for Ramadan [Hidaya, Durr-e-Mukhtar, Bahar]. However, we say that because nowadays people are lazy and do not bother going to look for the moon then except for Eid all the other month's moon witnessing when the skies are clear should be accepted if two Muslims have given oath.

- **Giving an oath when seeing the moon**

When giving oath it is necessary to say "I bear witness" and without these words the oath cannot be accepted. However, due to' bad skies and clouds for the oath of the moon for Ramadan if only "I have seen with my eyes the moon for this Ramadan today or I saw it last night' is sufficient.

- Rule: If some people come and say 'the moon has been seen in such a place or give witness that there has been a sighting of the moon (but have not seen the moon themselves) in such a place, or give witness that such and such a person has seen the moon or say that the judge of such a town has ordered Ramadan or Eid tomorrow then they are all incorrect methods and cannot be accepted [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: If only the judge or Imam has seen the moon alone for Eid then he can't celebrate or give order to celebrate Eid as this is not allowed [Durr-e-Mukhtar, Bahar].
- Rule: If the moon was seen in a particular city and a group of people came from that city and stated the news that Ramadan has begun on such a day and people have started fasting from that day and the news is common then this is sufficient for people in this town as proof [Radd-ut-Mohtar, Bahar].
- Rule: A person saw the moon alone for Ramadan or Eid but the judge did not accept his statement or oath then it is Wajib for him to fast the next day and if he doesn't or has broken the fast the Qaza is necessary [Hidaya, Durr-e-Mukhtar, Alamgiri].
- Rule: If the moon is seen during the day whether it be before or after midday that moon is for the next day, meaning if the moon is seen on the thirtieth day of Ramadan then it means the next day is the first of Shawwal and not the current day and therefore the fast must be completed. In the same way if the moon is seen during the day of the thirtieth of Shabaan, then Ramadan will begin the next day and the current day is the thirtieth of Shawwal and therefore fasting is not necessary [Alamgiri, Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar]. Rule: If the moon is seen in one place then this moon isn't just for that place but for all the world, however, the rule applies to the other places only when there has been a witness about the sighting of the moon, i.e. someone has given oath or the judge that has ordered the seeing of the moon gives oath or a group of people have took the news from where the moon was sighted and have stated whether the people in their town have kept a fast or celebrated Eid. Rule: Proof cannot be accepted if the news are via a telegram or telephone or radio because even if it is correct it is only news and not an oath and in the same way news from people or printing the news in papers cannot be accepted either as it is not proof of oath. Rule: If the moon is seen then to point towards it is Makrooh, even if it is to show someone [Alamgiri, Siraajia, Bazazia, Durr-e-Mukhtar, Bahar].

ACTIONS THAT BREAK THE FAST

- Rule: By eating, drinking or having intercourse breaks the fast when you are aware that you are fasting and if you forget that you were fasting and eat or drank or had intercourse, then the fast will not break [Hidaya, Alamgiri, Qazi Khan etc.].
- Rule: The fast will break if you smoked a cigarette or other form of smoke inhalation or cigar etc.
- Rule: The fast also breaks by eating a paan or tobacco, even if you spit out the contents.
- Rule: If you put sugar, sweet, chewing gum or any item in your mouth which dissolves and you swallow the taste then the fast will break.
- Rule: If there was something stuck in your teeth the same size or larger than a chick pea and you swallowed it or it was smaller than a chick pea and you took it out of your mouth and then swallowed it again then the fast will break. Rule: If your gums bled and the blood was more or equal to your saliva and went down your throat or was less than the saliva and it went down your throat and you could taste it then the

fast will break. If the blood was less than the saliva and you couldn't feel the taste and it went down your throat, then the Roza will not break [Durr-e-Mukhtar, Bahar].

- Rule: If a syringe is used or medicine is put up your nostrils or oil or medicine is put inside the ears then the fast will break, however, if water is put into or goes into the ears then the fast will not break [Alamgiri, Bahar].
- Rule: If you were cleaning your mouth out or was cleaning your nostrils and water went down your throat by mistake or went up too far in your nostrils that it went in your mouth canal even by mistake then the fast will break, if however, you forgot that you were fasting then the fast will not break [Alamgiri, Bahar].
- Rule: If you drank water or eat something whilst you were sleeping or your mouth was open and water went down your throat or snow went down your throat then the fast will break [Johra, Alamgiri, Bahar].
- Rule: To swallow someone else's saliva or to take your own saliva in your hand and then swallowing it will break the fast [Alamgiri, Bahar]. Rule: If you put a coloured thread in your mouth and your saliva became coloured and then you swallowed the saliva, then the fast will break [Alamgiri, Bahar].
- Rule: If tears went into the mouth and it was only a drop or two then the fast will not break and if it is more and the taste is felt in the whole mouth then the fast will break, the same rule applies to sweat [Alamgiri, Bahar].
- Rule: If a man kissed a woman or touched her or hugged her or copulated with her or embraced her and then ejaculated the fast would break and if the woman touched a man and the man ejaculated then the fast would not break. If a man touches a woman on her clothing and her clothing is so thick that the body warmth cannot be felt then the fast will not break even if he ejaculates.
- Rule: If the private parts are cleaned with excessive force upto the extent that the water reached upto the place where the suppository is kept then the fast will break and one should refrain from using too much force as there is a chance of illness [Durr-e-Mukhtar, Bahar]. If a man put oil or water down the hole of his penis then the fast will not break even if the liquid reaches the bottom. If a woman put water or oil into her vagina then her fast will break [Alamgiri, Bahar].
- Rule: If a woman put cotton or a cloth in her vagina and it does not stay completely on the outside then the fast will break. If someone puts a dry finger up the anus or a woman put a dry finger inside her vagina then the fast will not break and if the finger is wet or something is on it then the fast will break when the finger reaches the part where the point of the suppository goes [Alamgiri, Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: If a mouthful vomit is done purposely and you are aware that you are fasting then the fast will break and if small amounts are vomited then the fast will not break [Durr-e-Mukhtar, etc.].
- Rule: If vomit occurs on it's own without control then whether, it be a small amount or large the fast will not break [Durr-e-Mukhtar].
- Rule: The rule of vomit applies when the vomit consists of food or liquid or blood, if the vomit consists of just phlegm then the fast will not break regardless of situation [Alamgiri].
- Rule: If in Ramadan a person without cause openly eats or drinks then the rule for an Islamic judge is to execute them [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].

Actions that break the fast but only Qaza is necessary

- Rule: If you were under the impression that the break of dawn had not yet occurred and therefore you eat, drank or had sexual intercourse and then later on found out

that the break of dawn had already happened, then the fast will not count and only Qaza is necessary [Durr-e-Mukhtar].

- Rule: If you were forced into eating or drinking and someone threatened you (either to kill you or cause you serious harm) if you did not break your fast then even if you eat with your own hands, only Qaza is necessary [Durr-e-Mukhtar etc.]. Meaning only one fast has to be performed to replace the one broken [Bahar-e-Shariat].
- Rule: If you had eatenor drank or had intercourse by mistake or you ejaculated just by seeing something or had a wet dream and then you thought that the fast had broken and therefore you deliberately eat or drank etc. then it is only compulsory to perform Qaza [Durr-e-Mukhtar, Bahar].
- Rule: If you put ear drops in your ear or there was a wound on your stomach or head and you put medication on it and it reached the stomach or brain or you took on a drip (of glucose) or you sucked up medicine up your nose or you eat a stone, soil, cotton, paper, grass or any item where people would not generally eat and would think awful of, or stayed in Ramadan as if in Roza but did not make an intention of fasting, or did not make an intention in the morning but made an intention before midday and then eat after midday, or made an intention of fasting but not for Ramadan or raindrops or snow went down the throat or drank many drops of tears or sweat or had intercourse with a very small child who was not capable of having intercourse, or had intercourse with a dead person or had intercourse with an animal or had intercourse on a thigh or stomach or kissed a woman on her lips or touched a woman and even if there was a piece of cloth in between but the warmth of the body is felt and in these situations you ejaculated or you masturbated or you ejaculated whilst performing foreplay or except for the fast of Ramadan you broke another fast whether it be the Qaza of Ramadan, or a woman was sleeping whilst she was fasting and someone had intercourse with her whilst in her sleep or a woman was in her sense in the morning and she made the intention of fasting and then she went insane and whilst in this situation sexual intercourse was committed with her, or you were under the impression that it is night and you had food or you were in doubt that it was night but you had food but in fact the morning had broken, or you thought that the sun had set and you eat but the sun had not set or two people gave witness that the sun had set and two people gave witness that it was still day and this situation you eat food then in ALL the above situations only Qaza is necessary not Kaffara [Durr-e-Mukhtar, Bahar, etc.].
- Rule: A traveller settled at a place, a woman on her period or bleeding after childbirth became clean from it or an insane person came back to their senses, or an ill person became healthy whose fast was broken whether someone made the person break their fast or water or other liquid went down the throat by mistake and the fast was broken because of this or you thought that it was night and had some food but in fact morning had broken or you thought that it was sunset but in fact daytime was still left then in all these situations where there is still daytime left then you must stay as if you were in fasting as this is Wajib and then perform Qaza for the fast and if a child became an adult or an infidel became a Muslim then the Qaza for this day is not necessary but to remain as if they were fasting for the rest of the day is also necessary for them [Durr-e-Mukhtar].
- Rule: When a child reaches the age of ten and they have the strength to keep a fast then they should be forced to keep a fast and if necessary they should be hit and if the strength is seen and then they break the fast then they are not to be given the order of Qaza, however, if the Namaz is broken then they should be made to repeat it [Radd-ul-Mohtar, Bahar]. If someone was having intercourse before dawn and as soon as dawn occurred they separated then there is no harm but if they continued then Qaza is necessary not Kaffara [Radd-ul-Mohtar].

- Rule: If you were having intercourse by mistake and you separated as soon as you remembered then there is no harm and if you continued then Qaza is necessary not Kaffara [Radd-ul-Mohtar].
- Rule: A deceased person had some Qaza that he had to perform then the Wali (next of kin) should give Fidya (money to replace the fast) to the poor but this is only necessary when the deceased had made a will and left some property behind and if this is not the case then it is not necessary for the Wali to give Fidya, however, it is better if they do so [Bahar-e-Shariat].

Actions that break the fast and Kaffara is also necessary

If the fast of Ramadan is purposely broken then Kaffara is necessary. The Kaffara (compensation) is either to free one slave and if this is not possible then keep sixty fasts consecutively without a gap and if this is also not possible then feed fully sixty beggars twice in a day. If the sixty fasts are kept and in the middle even if one day's fast is missed then you must start the sixty again the previous ones will not count. If someone had kept fifty nine fasts and was unable to keep the sixtieth due to illness etc. then they must start again the previous fifty nine are wasted. However, if a woman starts her period in between then she must miss them and continue the fasts once she becomes clean and the previous fasts before the period started will count and when completing sixty the Kaffara will be completed [Radd-ul-Mohtar, Bahar, Alamgiri]. When breaking the fast and for Kaffara to become necessary there are a few conditions that have to be fulfilled and only then the Kaffara become necessary.

Conditions where Kaffara become necessary

1. A fast is kept in the month of Ramadan with the intention of keeping a fast of Ramadan.
2. The person keeping the fast is a resident and not a traveller.
3. The person is an adult and is sane (if a child or madman breaks the fast then Kaffara is not necessary).
4. The intention for the fast of Ramadan was done at night (if the intention for the fast was made in the day before midday and then broken then only Qaza is necessary not Kaffara).
5. After breaking the fast an act occurred which gives reason to miss a fast which you had no control over such as a woman started her period or such an illness occurred where it is allowed to miss a fast then the Kaffara will not be necessary. If however, after breaking the fast a person became a Ma'zoor (had a problem) which was within their control such as a person injured themselves and therefore became Ma'zoor or became a traveller then the Kaffara will not be cancelled as these things are within their control and Kaffara becomes necessary [Durr-e-Mukhtar, Johra, Alamgiri, Bahar].

- Rule: A person fasting purposely eat or drank some medicine or tablets or drank water or had something to eat or drink for pleasure or had intercourse in the front or back passage with a person capable of having intercourse (male or female) and whether they had an orgasm or not or had intercourse with another person fasting then in all these situations both Qaza and Kaffara is necessary.
- Rule: If such an act is done whereby the thought is that the fast will not break(except eating, drinking or having intercourse), but you thought that the fast has broken and then you eat or drank, for example, you extracted blood or put on Surma (eye colour) or you had intercourse with an animal or touched a woman or

kissed a woman or laid next to a woman or performed foreplay but in all these cases you did not reach orgasm i.e. did not ejaculate, or you put a dry finger up the anus and then after this you purposely eat or drank then in all these cases it is necessary to perform Qaza and Kaffara. If however, an act is performed where the thought is that the fast does not break and you thought that the fast had broken and a Mufti (Islamic jurist) gave a Fatwa and the Mufti is respected within the local community and the Fatwa is that the fast has broken and then you purposely eat or drank, or you had wrongly misinterpreted a Hadith and thought that the fast had broken and then you eat and drank, then the Kaffara is not necessary even though the Fatwa is wrong or the Hadith heard is not proven [Durr-e-Mukhtar, Bahar].

Acts that do not break the fast

- Rule: If you eat, drink or have sexual intercourse by mistake then the fast does not break.
- Rule: If a fly, smoke or dust goes down the throat then the fast does not break, however, if you purposely inhaled smoke then the fast will break if you know that you are fasting. For example, incense, loban was lighted and was brought near the mouth and the smoke was sucked up the nose, then the fast will break.
- Rule: If you apply oil or lotion or surma on the body or eyes then the fast will not break and if the taste of the oil or surma is felt in the throat or if the saliva is coloured due to the surma then the fast will still not break [Radd-ul-Mohtar, Johra, Bahar].
- Rule: If a fly goes down the throat then the fast will not break and if it is deliberately swallowed then the fast will break [Alamgiri, Bahar]. If whilst talking the lips got wet or you cleared your throat and then drank the saliva, then the fast will not break but you should refrain from doing this [Alamgiri, Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar]
- Rule: If your gums bled and the blood reached the throat but did not go down it, then the fast will not break [Durr-e-Mukhtar, Fatahul Qadir].
- Rule: If you were eating by mistake and as soon as you remembered you spat out the food then the fast will not break and if you swallowed the food then the fast will break [Alamgiri].
- Rule: You started eating (sehri) before the break of dawn and whilst you were eating you saw that the morning had broken and you spat out the food in your mouth then the fast will not break and if you swallowed the food then the fast will break [Alamgiri].
- Rule: If you chewed a linseed or something of equivalent size and it went down the throat with your saiiva then the fast will not break, if however, you felt the taste of it then the fast will break [Fatahul Qadir].
- Rule: If medicine is grounded or flour is sieved and you felt the taste in your throat then the fast will not break [Durr-e-Mukhtar, Fatahul Qadir etc.].
- Rule: If water went inside the ears then the fast will not break [Durr-e-Mukhtar, Fatahul Qadir]
- Rule: If you talked badly about someone behind their back then the fast will not break, however to backbite is a very large sin. It is stated in the Holy Quran that to backbite is the same as eating the flesh of one's dead brother, it is quoted in the Hadith Sharif that backbiting is worse than adultery and by backbiting the light (Moor) of fasting will disappear [Durr-e-Mukhtar].
- Rule: If you kissed but did not ejaculate then the fast does not break, and in the same way you looked at a woman or her private parts but did not touch her and ejaculated or reached orgasm even though you looked many times or you thought about intercourse for a long time or kept on thinking about sexual activities and then

ejaculated, then in all these situations the fast will not break [Johra, Durr-e-Mukhtar].

- Rule: 'If you had a wet dream (nocturnal emission) then the fast will not break.
- Rule: If you remained in a state where bathing is obligatory (Junub) until the morning, in fact remained like that all day then the fast will not break, however to remain like that so that you miss a Namaz is Haram and it is quoted in the Hadith Sharif that where there is a Junub person in a house the angels of mercy do not enter the house [Durr-e-Mukhtar, Bahar]. Rule: If you had intercourse in any other hole except for the two passages below then unless you ejaculate the fast will not break. Also, if you masturbated but did not ejaculate then the fast does not break although this act is strictly Haram and it is stated in the Hadith that those who do this are not with me (Holy Prophet) [Durr-e-Mukhtar, Bahar].

Acts that make the fast Makrooh

- Rule: To lie, backbite, tell-tale, to swear, talk shamelessly, to cause someone harm are all Haram acts anyway, but to do these acts whilst fasting are even more Haram and because of this the fast become Makrooh.
- Rule: For a fasting person to taste or chew something without reason then the fast becomes Makrooh. The acceptable reason is when a husband or master is very short tempered and due to there being less salt will cause him disappointment then to taste (but not swallow) will not make the fast Makrooh. Another reason is when there is a small child or elderly or disabled person who cannot chew a chappati or bread and there is no other person available who is not fasting then the fast will not become Makrooh [Durr-e-Mukhtar, Bahar].

Definition of tasting

Tasting something is not what is known as today where to taste something a few bites are taken or a few sips are taken, never mind tasting this will break the fast and if the conditions of Kaffara apply then Kaffara will become necessary. Tasting is to put something on the tongue and the taste is identified and then the food is spat out and none of it goes down the throat then the fast will not break and if something goes down the throat then the fast will break. Rule: If an item is purchased and it is necessary to taste it otherwise you would suffer a loss then you can taste it and the fast will not become Makrooh [Durr-e-Mukhtar].

- Rule: To kiss a woman or to embrace her or to touch her is Makrooh when the fear is that you may ejaculate or may be tempted to have sexual intercourse and to kiss her on the lips or to suck her tongue is even more Makrooh and in the same way to perform foreplay is also Makrooh [Durr-e-Mukhtar, Bahar]. To smell a rose or musk (perfume) etc. and. to put oil on the beard or mouchtache or to put on surma is not Makrooh as long as the surma is applied to look handsome or the oil is put on so that the beard will grow, and if the beard is a fist in length then it is Makrooh even when not fasting and if you are fasting then the Makrooh is even more [Durr-e-Mukhtar].
- Rule: Whilst fasting, for a person to clean the nose or mouth with too much water and exaggeration is Makrooh, exaggeration in washing the mouth means to fill the whole mouth with water.
- Rule: Except for bathing or Wuzu to put water in the mouth or up the nose to cool down or wash the body or put on a wet cloth to cool down is not Makrooh, however, if you do this to show that you are suffering i.e. to put on a wet cloth, then it is

Makrooh because to have a small heart for worship is not a good thing [Alamgih, Radd-ul-Mohtar, Bahar].

- Rule: To gather saliva in the mouth and then to swallow even without fasting is not a good thing but it is Makrooh whilst fasting [Alamgiri, Bahar]. To perform Miswaak whilst fasting is not Makrooh, in fact just as it is Sunnat to perform Miswaak on other days it is also Sunnat whilst fasting.

SEHRI AND IFTAAR(OPENING AND CLOSING THE FAST)

The virtue for performing Sehri

The Holy Prophet Sallallaho Alaihi Wasallam has stated "eat for Sehri as there is a lot of blessings for this. The difference between our fasts and the fasts of the other book followers is the bite of sehri[Bukhari, Muslim, Tirmizi,Nisaa'i etc.]. Allah and His angels send blessings to those who eat at Sehri [Tibrani]. The whole of Sehri is complete blessing and should not be missed and if possible drink at least one gulp of water because Allah and His angels send blessings upon those who perform sehri" [Imam Ahmad]. The Holy Prophet has stated the Allah has said that out of my servants I love those more who rush their Iftari and delay their Sehri [Ahmad, Tirmizi etc.]. It is also reported that Allah chooses those who hurry their Iftari and delay their Sehri [Tibrani]. Rule: To eat Sehri and to delay it is Sunnat, but to delay it so much that their is doubt that the dawn will break then this is Makrooh [Alamgiri, Bahar]. Rule: To hurry the Iftar is Sunnat but it must only be done when you are satisfied that the sun has set, and until you are not completely satisfied you should not start Iftari even if the Mo'azzin has called the Azaan. On days where it is cloudy the Iftar should not be hurried [Radd-ul-Mohtar].

What should Iftar be started with ?

- Rule: The Holy Prophet has stated that when you start the Iftar, then start it with either some dates or dry, dates, and if these are not available then start it with water as this is an item that purifies. The Holy Prophet used to pray this Dua when finishing the fast (Dua of Iftari) "Allahumma Laka Sumto, Wa Alaa Rizqika Aftarto" meaning, Oh Allah I fasted for you and I have opened my fast with vour given wealth.

Situations Where Missing The Fast Is Allowed

- Rule: Travelling, pregnancy, breast-feeding, sickness, fear of being killed, any other difficulty recognised by Shariat or illness affecting sense are all reason where missing the fast is allowed and therefore no sin will be committed and when the cause is over then to keep Qaza of the missed fast is compulsory.
- Rule: Travelling means as per Shariat the recognised distance, i.e. a journey with the intention of travelling three days (fifty seven and a half miles) even if the journey is for a disallowed cause [Durr-e-MukhtarJ. Rule: If you started travelling in the daytime then that day's fast is not a cause, however, if it is broken then the Kaffara will not be necessary but you will have committed a sin, and if you broke it before starting the journey and then started the journey, then Kaffara will also be necessary. If you travelled during the day but forgot something at home and returned for it and whilst back at home you broke the fast and then started the journey again, then Kaffara is also Wajib [Alamgiri, Bahar].

- Rule: If a traveller had not started travelling before midday and had not eaten anything so far, then it is Wajib to make the intention for the fast [Johra, Bahar].
- Rule: If no harm will affect the traveller or his companion if they fasted then it is better to fast and if it will cause a problem then it is better not to fast [Durr-e-Mukhtar].
- Rule: If a pregnant woman or a mother breast feeding has a true indication that her life or the child's life is in risk then she can miss the fast even if the breast feeding woman is only a wet nurse and only does this work in Ramadan [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].
- Rule: If an ill person has a true indication that their illness will worsen or the healing will be delayed or if a healthy person has a definite indication that their health will deteriorate or the helper will become very weak then in all the above situations it is allowed to miss the fast [Johra, Durr-e-Mukhtar, Bahar].
- Rule: In these situations a definite indication is necessary and just a thought or fear is not sufficient. A definite . indication means three options, either a physical sign is seen or felt, or true experience is known or a Muslim Doctor who is not a wrongdoer (Fasiq) has advised. If therefore a physical sign is not seen or it has never been experienced or an infidel doctor or wrongdoer has advised and you missed a fast then this will mean that you have committed a sin and if you break a fast then Kaffara would also be necessary [Radd-ul-Mohtar, Bahar]. Most of today's doctors if they are not infidels then they certainly are wrongdoers and if these people advise then it must not be followed and it is not allowed to miss the fast or to break the fast is not allowed. These doctors are seen to forbid fasting for small illnesses and do not have the decency to separate the illness that does need the fast to be missed and the illness where fasting would not cause any harm.
- Rule: If you are so hungry or thirsty that you are definitely sure that you will die or you will lose sanity then in this situation do not keep a fast [Fatahul Qadir, Alamgiri, Bahar].
- Rule: If you are bitten by a snake and your life is at risk then break the fast [Radd-ul-Mohtar, Bahar].
- Rule: If an old age pensioner (an old person who is getting weaker every day) who does not have the strength to keep fast and will no longer be able to keep a fast then it is allowed for them not to fast anymore, but it is Wajib upon them to give Fidya for every fast missed meaning to fully feed a beggar twice or to give Sadqa and Fitra for every fast missed [Durr-e-Mukhtar, Alamgiri, Bahar].
- Rule: If an old person cannot keep the fast in summer due to the heat but can keep the fast in winter then he can miss them in the summer but it is obligatory for him to fast perform Qaza) in the winter [Radd-ul-Mohtar, Bahar etc.]. Rule: After giving Fidya the old person gained enough strength to keep the Qaza for the missed fast then it is Wajib upon them to fast and the Fidya will be counted as voluntary.
- Rule: A person cannot fast or pray Namaz for another person, however he can send the reward for his fasts to other people [Hidaya, Alamgiri, Durr-e-Mukhtar].
- Rule: A Nafl fast if started deliberately becomes necessary and therefore if it is broken it becomes Wajib to keep a Qaza or if it breaks unintentionally such as if monthly periods start it is still necessary to keep it's Qaza [Hidaya, Durr-e-Mukhtar, etc.].
- Rule: If a Nafl fast is kept on Eid days or the days when it is Makrooh to fast then it is not Wajib to finish the fast, in fact it is Wajib to break it and Qaza is not Wajib for breaking this fast. If you have made a promise to fast on these days then it is Wajib that you keep the fast but on some other day not on these days [Radd-ul-Mohtar, Bahar].

When Nafl fasts can be broken

- Rule: You can break a Nafl fast due to the arrival of guests when you are sure that you will perform Qaza for it and it is only allowed to break the fast before midday not after. However, if your parents are unhappy then it is allowed to break the fast before Asr Namaz and not after [Alamgiri, Radd-ul-Mohtar].
- Rule: If someone has invited you for a meal then you can break the Nafl fast before midday and it is necessary to keep it's Qaza.
- Rule: A woman should not fast Nafl, promised or oath Rozas without her husband's permission and if she has then he can make her break them but to perform the Qaza will be Wajib and permission should be asked from the husband before keeping them. If however there is no problem from her husband then she can keep the Qaza without his permission and in fact if he refuses she can still keep the Qaza. As for Ramadan fasts or Ramadan Qaza fasts there is no need to gain permission from her husband and in fact if he stops her she must still keep these fasts [Durr-e-Mukhtar, Radd-ul-Mohtar]. Rule: If a fast is not kept due to any reason then when it is possible it the Qaza must be kept [Durr-e-Mukhtar etc.].

VIRTUES FOR SOME NAFL FASTS

Ashura

Meaning fasting on the tenth of Mohharram and it is better to fast on the ninth of Mohharram. The Holy Prophet Sallallaho Alaihi Wasallam kept the Ashura fast himself and instructed others to keep it and also stated that after Ramadan the best fast is of Ashura [Bukhari, Muslim, Abu Da'ud, Tirmizi] and he has also stated that the Ashura fast erodes the past one year and the coming one year's sins [Muslim, Abu Da'ud].

Six fasts of Shawwal

The Holy Prophet Sallallaho Alaihi Wasallam has stated that those who have kept the fasts of Ramadan and then kept six fasts of Shawwal, then they are like those who have always kept a fast. He has also stated that if you fast after Eid for six days then you have fasted for the whole year [Muslim, Abu Da'ud Tirmizi, Nisaai, Ibne-Maja etc.].

- Rule: It is better that they are kept. separately and if they are kept continuously after Eid then there is no harm [Durr-e-Mukhtar, Bahar].

Fast of Shabaan and the virtue for the 15th of Shabaan

The Holy Prophet Salallaho Alaihi Wasallam has stated that when the fifteenth night of Shabaan arrives then on that night stand (meaning perform Nafl Namaz) and fast during the day, because Allah Ta'ala after sunset pays special attention to the world and says is there anyone wanting forgiveness whom I will forgive, is there anyone looking for wealth whom I will- give wealth to, is there anyone who is stuck in difficulty whom I will release ? Is there anyone like this, is there anyone like this ? and He states this until the sunrise of Fajr [Ibne Maja]. He has also stated that on the night of the fifteenth Allah pays attention to all His creation and forgives all except for the infidel and those who break friendship because of a worldly cause [Tibrani, Ibne Huban].

Fasts of Ayyam Baiz

Meaning the fasts of the thirteenth, fourteenth and fifteenth of every month. The Holy Prophet Sallallaho Alaihi Wasallam has stated that fasting for three. days every month is like fasting all the time [Bukhari, Muslim]. He has also stated that if possible keep three fasts every month as every fast erodes ten sins and clears you of sins like water cleans clothes [Tibrani].

Fasting on Mondays and Thursdays

The Holy Prophet Sallallaho Alaihi Wasallam has stated that the actions of each person is presented to Allah on Mondays and Thursdays and I would prefer that my actions are presented when I am fasting. He has also stated that Allah forgives everyone except two people who have had a fight and are not speaking to each other, then Allah tells His angels to leave them until they make up [Tirmizi, Ibne Maja].

Fasting on Wednesdays and Thursdays

The Holy Prophet Sallallaho Alaihi Wasallam has stated that those who fast on Wednesdays and Thursdays, then there freedom from Hell has been written down and those who fast on Wednesdays, Thursdays and Fridays then Allah Ta'ala makes a house for them in Jannat where the inside can be seen from the outside and the outside can be seen from the inside. Rule: To specifically keep a fast only on Fridays is Makrooh, therefore, you should keep a fast before or after, as to keep a Nafl or Sunnat fast on it's own is Makrooh.

AI'TEKAAF - STAYING IN MASJID

Ai'tekaaf is to stay with the intention of Ai'tekaaf for the sake of Allah in Masjid. There are three types of Ai'takaaf, Wajib, Sunnat-e-Maukida and Mustahhab.

Ai'tekaaf Wajib

This is when a promise is made and fulfilled. For example, you make the intention that if my such and such thing is done then I will stay in Masjid for one day or two days. Once the action is completed it is necessary to perform Ai'tekaaf and with this Ai'tekaaf fasting is a condition and without fasting the Ai'tekaaf is not correct.

Ai'tekaafSunnat-e-Maukida

This is performed in the last third of Ramadan, meaning the last ten days. i.e. from sunset of the twentieth of Ramadan you entered in the Masjid with the intention of Ai'tekaaf and did not come out until the thirtieth sunset or if the moon is seen on the twenty-ninth sunset. If the intention of Ai'tekaaf is made after sunset on the twentieth then the Sunnat Maukida will not be counted. This Ai'tekaaf is Sunnat-e-Kifaya meaning if one person within the community performs it then all will not be held responsible and if no-one performs it then all will. be held responsible. Fasting is also a condition for this Ai'tekaaf, but the Ramadan fasts are sufficient [Durr-e-Mukhtar, Hindiya].

Ai'tekaaf Mustahhab

Except for the Ai'tekaaf Wajib and the Ai'tekaaf Sunnat, any other Ai'tekaaf is Mustahhab. Fasting is not a condition for Ai'tekaaf Mustahhab and it can be done for a little while.

Whenever you go to Masjid, make the intention for this Ai'tekaaf even if you are going for a short while and when you come out the Ai'tekaaf will finish. For the intention, just the thought that I am performing Ai'tekaaf Mustahhab for Allah is sufficient [Alarngiri, Bahar etc.].

- Rule: Masjid is necessary for men but for women the place where she normally prays Namaz is sufficient [Hidaya, Radd-ul-Mohtar, Bahar].
- Rule: It is Haram for the Mu'takif (the person performing Ai'tekaaf) to come out of Masjid without a reason, even if it is by mistake, as the Ai'tekaaf will break. In the same way if the woman comes out of the area of Ai'tekaaf without reason then her Ai'tekaaf will break even if she remains in the house [Alamgiri, Radd-ul-Mohtar]. There are two reasons where you can leave the Masjid, one is for natural necessity and the other is for religious necessity. The natural necessity reason is things such as, excretion, urination, to clean the private parts, bathing, Wuzu (where there is no facilities in Masjid to perform Wuzu or have a bath, i.e. a big pool, showers, etc.). The religious necessity is things like going to pray Eid or Juma Namaz and if in the Masjid that you are staying does not have regular Jamaat prayers then you can leave and go to pray Jamaat. Except for these reasons if you went outside the Masjid even for a little while then the Ai'tekaaf will break, even if it was done by mistake.
- Rule: The Mu'takif will remain in Masjid and he will eat, drink and sleep there, and if he leaves the Masjid for these things then the Ai'tekaaf will break [Durr-e-Mukhtar, Hidaya etc.].
- Rule: Except for Mu'takif, no other person has the permission to eat, drink or sleep and if you wanted to do these things in Masjid then first make the intention of Ai'tekaaf and then either pray Namaz or other worship and then perform these functions, but you must remember and take great care that the Masjid does not get dirty [Radd-ul-Mohtar, Bahar etc.]. Rule: To fulfil the Mu'takifs needs or his family's needs, the Mu'takif is allowed to buy or sell in the Masjid as long as the items that he is buying are already not available in the Masjid or if they are available then there is only a small amount and it does not take a lot of space and if the intention is to make business then this is not allowed even if the items are not available in the Masjid [Durr-e-Mukhtar, Radd-ul-Mohtar. Bahar].
- Rule: The Mu'takif should not stay quiet nor should he speak but he should pray the Quran or Hadith or pray the Durood Sharif, and learn or lecture about the knowledge of Islam, and pray the life stories of the Prophets and the Walls of Allah and write about religion [Durr-e-Mukhtar].
- Rule: If Nafl Ai'tekaaf is broken then there is no Qaza for it. If the Sunnat Ai'tekaaf is broken then only the day that is broken is necessary for Qaza and not for all the ten days. If the Wajib Ai'tekaaf is broken and the promise was to keep Ai'tekaaf for some days of the month then only the day where the Ai'tekaaf is broken needs to be repeated. If the intention was to keep so many continuous days Ai'tekaaf and it breaks then the Ai'tekaaf will have to be started again. If the continuity is not the promise then just repeat it from where it was broken.
- Rule: Whatever the reason may be for breaking the Ai'tekaaf, whether it be intentionally or unintentionally, the Qaza has to be performed.

Zakat (Alms to the Poor)

The benefit of giving Zakat

Allah Ta'ala has stated that 'success is for those who give Zakat'. He has also stated 'Whatever you give, Allah will replace it with even more and Allah is the best at giving wealth'. He has also stated 'that those who are misers, then don't think that whatever Allah has given them due to His virtue that it is a good thing for them but it is a bad thing for them, because that item will be wrapped around their necks and a lock put on it for those who are tight with their money'.

Punishment and loss for not giving Zakat

Allah has also stated ' those who collect silver and gold and do not spend it in the path of Allah then they will be given severe punishment and give them the good news that when they are heated in the fire of Hell and with that their foreheads and sides and backs will be marked and they will be told that this is that gold and silver which you gained for your desire and so taste what you had gained'. The Holy Prophet Sallallaho Alaihi Wasallam has reported that 'the goods that are destroyed, are destroyed due to not giving Zakat'. He has also reported' that 'strengthen your possession by giving Zakat and heal your sick by giving Sadqa and pray to deter any difficulties and cry and perform worship'. He has also reported that 'Allah Ta'ala has made four things obligatory and those who only perform three of them and miss one then it will be of no use to them until all four things are not performed. Namaz,Roza, Zakat and Hajj, and he stated that those who do not give Zakat, their Namaz is not accepted [Tibrani, Abu Da'ud, Imam Ahmad].

- Rule: Zakat is Farz and those who reject it as Farz are infidels and those who do not give Zakat are wrongdoers and worthy of execution and those who delay and do not give Zakat on time are sinners and their testimony or oath will not be accepted [Alamgiri,Bahar]. According to Shariat, Zakat is defined as from your goods to take one part for Allah which has been fixed by Shariat and to make a Muslim poor person the owner of it.
- Rule: To replace something is not giving Zakat, for example, to feed a poor person with the intention of giving Zakat as this would not be making the person the owner of the money. However, if food is given and whether he eats it or takes it with him then this will be counted as giving Zakat and in the same way if clothing is given with the intention of Zakat then the Zakat will be fulfilled [Durr-e-Mukhtar].
- Rule: It is also a condition to make someone the owner that knows how to accept, it, meaning if someone throws it away or is easily fooled into giving it away then this is not counted as making someone the owner, for example if a small child or an insane person is given Zakat then it will not count. If the child does not have sense then the Zakat should be given to his father who should also be poor and then should be made the keeper or the child's guardian or person looking after the child [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].

Conditions when Zakat would become necessary

- Rule: There are a few conditions when Zakat would become necessary.

1. To be a Muslim

2. To be an adult

3. To be sane

4. To be free (i.e. not a slave)

5. To be the owner of goods above Nisaab (threshold-where Zakat would become necessary)

6. To be a complete owner of the goods

7. To be free from any sort of loan

8. To be free from any goods which are regarded as basic necessities of living

9. The good have a value which will increase

10. For a year to pass

- Rule: Zakat is not necessary for an infidel. If an infidel became a Muslim then he would not be ordered to pay Zakat for goods from previous years when he was not a Muslim [All books].
- Rule: Zakat is not necessary for a child [Hidava etc.].
- Rule: Zakat is not necessary for a person who has been insane for a full year. If a person is sane at the beginning of the year and at the end of the year but was insane in the middle of then Zakat is still necessary. If a person is insane from birth and then after reaching adulthood he gains sanity then Zakat will become necessary from that year and not from the previous years [Johra, Alamgiri, Radd-ul-Mohtar, Bahar].
- Rule: Zakat is not necessary for possession of goods which are below the fixed threshold of Shariat, meaning if a person had goods but were less than the threshold of Nisaab then Zakat is not necessary for them.
- Rule: You must have complete ownership of the goods, meaning if you had possession but was not an owner then Zakat is not necessary.
- Rule: If goods are lost or have fallen in the sea or someone has robbed him and he has no witnesses for the robbery or have been buried in a field and you are not aware of where you have buried it or you gave some goods to a stranger for safe-keeping and then that person took off with them or you lent some money to someone and he refuses to pay the debt back and you have no witnesses and then after a period of time you got your goods or money back, then Zakat is not necessary for the time the goods were not in your possession [Durr-e-Mukhtar, Radd-ul-Mohtar]. If you have loaned some goods to a person who says he will pay back but is delaying it or has become bankrupt or a Qazi has ordered that he is poor or is refusing to pay back and he has witnesses and then when you recover the goods back, then Zakat is also necessary for the time when it was not in your possession [Tanwir, Bahar].
- Rule: If money or goods have been given as a deposit or guarantee, then Zakat is not necessary on the person giving the deposit or the person keeping the deposit nor is it necessary for the years that it was held when the deposit has been given back [Durr-e-Mukhtar, Bahar etc.].

- Rule: If a person has enough goods above the threshold of Nisaab but he owes so much that by paying the debt off he would go below the threshold of Nisaab then Zakat is not necessary on them whether the debt is of a worldly nature (such as a loan or repayment for lost goods or payment) or if it is of a religious nature (such as previous Zakats), for example, if a person has been above the threshold of Zakat for only one year and he has not given Zakat for two years then only the first year's Zakat is necessary not for the second year, because after giving the first year's Zakat from his goods the goods then fall below the threshold therefore the second year's Zakat is not necessary [Alamgiri, Radd-ul-Mohtar].

A fixed time loan or Mehr does not stop you from giving Zakat

- Rule: If you borrowed money and you did not have to pay anything until after a fixed time (for example, you borrowed some money and the owner said don't pay me anything for five years and then pay the money back to me) then this will not stop you from giving Zakat [Radd-ul-Mohtar]. Also if the husband has to give so much money for Mehr, he still has to give Zakat because the wife does not ask for the Mehr [Alamgiri, Bahar].
- Rule: A loan will stop you from giving Zakat when the loan is taken before the Zakat became Wajib and if money is borrowed after Zakat is due, then you will still have to give Zakat (for example, your year has finished and you are due to give £500 Zakat and then you take out a loan which takes you below the Nisaab threshold, the £500 Zakat will still have to be paid) [Radd-ul-Mohtar, Bahar).

Basic Necessities (Hajat-e-Asaliya)

- Rule: Whatever goods are regarded as not the basic necessities and are above the threshold of Nisaab then Zakat is necessary. Hajat-e-Asaliya This means basic necessities that are required for living, such as, a house for living, clothes for wearing, goods for cooking and eating, animal/vehicle for transport, slave for helping, weapons for battle, tools for workmanship, books for knowledge and food stored for eating [Hidaya, Alamgiri, Radd-ul-Mohtar].

Zakat for three types of goods

The conclusion is that there are three types of goods which Zakat is necessary upon.

1. Gold and Silver.

2. Goods for business.

3. Animals which are kept for production and who eat on free range land.

- Rule: Zakat is not necessary on pearls and diamonds and other jewellery (except gold and silver) regardless of the amount, however, if they are purchased with the intention of doing business then Zakat is necessary [Alamgiri, Durr-e-Mukhtar, Bahar].
- Rule: If a person has more than the threshold (Nisaab) and in the running year the goods increased then the new goods are not counted as a new year but when the year finishes for the old goods it will also finish for the new goods even if the new goods are acquired one minute before the year end.

- Rule: When giving Zakat or separating money for Zakat it is necessary to make the intention of Zakat. Intention means if asked you can without doubt say it is Zakat [Alamgiri].
- Rule: If you gave money voluntary all year and then finally made the intention that whatever given was Zakat, then this will not count [Alamgiri].
- Rule: Zakat money was in your hand and the poor snatched it away then the Zakat will count and if it fell on the floor and a poor person picked it up and if you knew the person and was happy, then the Zakat will count [Alamgiri].
- Rule: Zakat money cannot be used in assisting the dead (buying Kafan, burial etc.) or for building a Masjid because this would not make the person the owner. If you want to spend money on things like helping the dead or building the Masjid then the method of doing this is to give the money to a poor person and then the poor person spends the money for these causes as this would mean both parties would gain reward. It is stated in the Hadith that if the money of Sadqa passes through one hundred hands then every person would gain as much reward as the first person who gave the money and there would be no decrease in the reward [Radd-ul-Mohtar, Bahar, Qazi Khan].
- Rule: It is not necessary when giving Zakat to say to the poor that this is Zakat as only the intention is sufficient. If you gave the Zakat buy saying that this is a gift for you or it is a present for your children or Eid money and the intention is that you are giving Zakat, then the Zakat will count. The reason for this is because there are many poor people that feel ashamsd in taking Zakat and therefore you should not tell them that you are giving Zakat to them [Bahar].
- Rule: If a person with Nisaab decides to give more than his Nisaab calculation of Zakat by giving the amount for two or three Nisaabs beforehand, and then at the end of the year he finds out that he had to give more than just one Nisaab and he had already done this by giving money before it's due time then this will count. However, if he had given more than what was due from him with the intention for that year and then at the end of the year it was more than his Nisaab calculation was due then he cannot carry the excess amount to the next year (because the intention was for only to give that year) [Alamgiri, Bahar].
- Rule: If a person owns one thousand pounds but he decides to give Zakat for two thousand pounds and makes the intention that if I have that much amount at the end of the year then this Zakat will be for this year and if not then the excess money will go towards next year, then this is allowed [Alamgiri, Bahar].
- Rule: If you are in doubt that you have paid Zakat then you must pay again [Alamgiri, Radd-ul-Mohtar, Bahar, Siraajia, Behra-ul-Raiq].

ZAKAT FOR GOLD. SILVER AND BUSINESS GOODS

Nisaab for Gold and Silver

The Nisaab (threshold) for gold is seven and a half Tola (88 grammes) and for silver it is fifty two and a half Tola (620 grammes). The Zakat for gold and silver is determined by it's weight and not it's value. For example, jewellery or utensils of gold is made but it's making makes the value of the gold more than 200 Dirhams (which may be the price of 7.5 tolas of gold). Also nowadays the value of 7.5 tolas of gold makes many Nisaabs when compared with the 52.5 tolas of silver and therefore the Nisaab will be calculated on weight and not on the value. In the same way by giving silver as Zakat for gold then the value will not be counted but the weight will be counted even if because of work and craftsmanship the value has increased. For example, if you had £700 worth of silver and you gave £25 for Zakat

because although the jewellery was worth £700, it actually cost another £300, making the total £1000, then the Zakat would need only be £20 and the other £5 would be extra as the Zakat is given on the weight and not the total value.

- Rule: When it is referring that the weight is taken into consideration and not the value then this is when the Zakat is being given for like to like product. Such as gold for gold or silver for silver and if another product is being given for another product, for example gold is being given as Zakat for silver or vice versa, then the value will be taken into consideration. [Radd-ul-Mohtar, Bahar].

How much Zakat should be given ?

- Rule: When you have enough gold or silver that goes above the Nisaab then one fortieth is given, i.e. 2.5%. Whether it be in it's original form or in the form of coins or something has been made out of it (such as jewellery, utensils, watch etc.) then Zakat is necessary on it. For example if you have 88 grammes of gold then 2.25 grammes of Zakat is necessary or if you have 620 grammes of silver then 15.75 grammes of silver is necessary for Zakat [Durr-e-Mukhtar, Bahar etc.].
- Rule: Except for gold and silver you have other goods which are for business purposes then if the value of that adds to the same as the Nisaab for gold or silver then Zakat is necessary on that also, meaning the fortieth part of the goods is to be given for Zakat. If you did not have enough goods that reached upto the Nisaab level but you also had some gold or silver then they should be combined together and then if the total adds up to the Nisaab level then Zakat is necessary. The value of the goods should be calculated with the going currency of that county, for example in India the currency would be Rupees and for the UK it would be sterling. If gold or silver coins are used somewhere then it is upto you to use whichever coin you like. However, if you use Rupees and the Nisaab does not complete but by using an Ashrafi the Nisaab completes or vice-versa, or by using one currency the Nisaab completes but with another currency there is more than one-fifth of the Nisaab left-over then use the currency that gives more Nisaab left-over meaning one fifth more and do not use the other currency that does not add up to the extra Nisaab [Durr-e-Mukhtar, Bahar].

Calculation for goods more than the Nisaab

- Rule: If you have more goods than the Nisaab threshold and the extra is one fifth more then Zakat is necessary on this extra amount. For example, for silver after 620 grammes (which is the Nisaab), then you have to pay Zakat on every 124 grammes above the threshold as this is one fifth of the threshold and therefore an extra 3.15 grammes have to be given in Zakat. In the same way for gold after the Nisaab of 88 grammes you have to pay Zakat on every 17.6 grammes of gold which would mean an extra Zakat of 0.45 grammes. If the extra did not amount to an additional fifth then Zakat is not applicable on the extra amount, meaning if you had 105 grammes of gold then Zakat is only payable on the Nisaab which is 88 grammes and the rest would not be payable as it does not add up to one fifth and hence the Zakat on the extra 17 grammes is not payable and the same applies to silver and other goods or money [Durr-e-Mukhtar, Alamgiri, Qazi Khan].
- Rule: If you had both gold and silver and they both add up to the Nisaab separately then you cannot add the amount together'and give Zakat on the total amount (for

example, you had 88 grammes of gold and 620 grammes of silver then you cannot add them both up to 708 grammes and then give Zakat on the amount as silver) but you have to give Zakat on them separately as separate items. Although if you wished you can pay the Zakat in one item (meaning if you wanted you could pay it all in gold) but you must pay it in the amount which would be better for the receiver and which is worth more.

- Rule: If you have gold and silver but neither of them reach the threshold then calculate both of them and add them together and make either the gold Nisaab or the silver Nisaab. If then the Nisaab still does not complete then no Zakat is necessary. If the silver is converted to the value of gold or the gold is converted to the value of silver and then when mixed the Nisaab is completed, then Zakat is necessary and if silver makes the Nisaab and the gold does not then Zakat is necessary on silver. If both conversions make the Nisaab then it is upto you, to which you give Zakat for. However, if one conversion makes the Nisaab and exceeds another fifth of it then it is necessary to give Zakat on this conversion. For example, you had 300 grammes of silver and 60 grammes of gold, when you converted the gold value the Nisaab of silver completes but if you try it the other way then the Nisaab of gold does not complete, in which case it is necessary to give Zakat after converting it to the Nisaab value of silver. If the Nisaab value reaches both but the silver reaches the value of 756 grammes of silver (Nisaab plus one fifth) and the gold does not reach 105.6 grammes, then it is necessary to give Zakat on the value of the silver. In the same way if you had many Nisaabs and none of the extra was individually reaching, an extra fifth of the Nisaab, then add the extra amount of the Nisaabs together and then if it adds up to a fifth extra of one Nisaab then you have to give Zakat on this and if it does not reach to a fifth on any Nisaab then no Zakat is necessary on the extra amount [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].

Zakat on Notes is also necessary

- Rule: It is necessary to give Zakat on notes as this is the same as money [Bahar]. This means that Zakat is necessary on the amount equivalent to 620 grammes of silver or 88 grammes of gold or above as the same rules that apply to gold and silver will also apply here.
- Rule: Zakat Is necessary on business goods that have been available for a year and the condition is that the value of the goods are not less than 200 Dirhams at the start of the year [Alamgiri].
- Rule: Pans that have been loaned out do not need Zakat paid on them and in the same way a house that has been rented out do not need Zakat paying on it [Alamgiri, Qazi Khan].

ZAKAT ON SAIMA ((ANIMALS)

Definition of Saima

Zakat is necessary on three types of animals that are Saima, i.e. camels, cows and goats. Saima is those animals who spend most of the year grazing and their purpose is to gain milk or their young or just to keep [Tanweer, Bahar]. If hay or grass is brought to them in your home or the animals are used to shift loads or carry loads or are used for travelling on, then even if they graze, they are not Saima and their Zakat is not necessary. In the same way if they are kept to eat meat then Zakat is not necessary even if the animal grazes in the wild. If the animal is for sale and is kept to graze, then this is also not Saima, however,

the value is to be calculated as business goods and the Zakat is to be given as normal [Durr-e-Mukhtar, Radd-ul-Mohtar, Bahar].

Zakat on Camels

Zakat is not necessary on less than five camels. When you have five or more than five but less than twenty-five, then on every five camels one goat is given as Zakat. Therefore if you have five then one goat is to be given and if you have ten then two are given etc etc [Hidaya, Durr-e-Mukhtar].

- Rule: The goat that is given in Zakat is not to be less than one year old. The goat can be male or female, the choice is yours [Radd-ul-Mohtar].
- Rule: If you have more than one Nisaab but less than two Nisaabs (more than five but less than ten) then Zakat on the extra amount is forgiven and is not necessary, meaning if you had seven or eight then only the one goat is necessary [Durr-e-Mukhtar].
- Rule: If you have twenty-five camels then one small camel is given that is more than one year old and less than two years old, the same rule applies to upto thirty-five camels, meaning one small camel. If you have between thirty-six and upto forty-five then one camel more than two year's old is to be given. If you have between forty-six and upto sixty then one camel that is more than three year's old. If you have between sixty-one and upto seventy-five then one camel that is more than four year's old is to be given. If you have between seventy-six and upto ninety then two camels that are older than one year's old are to be given as Zakat. If you have between ninety one and upto one-hundred and twenty then you must give two camels older than two year's old. For more than one hundred and twenty upto one hundred and forty five then you must give two camels older than three year's old and one goat for every five extra. For example, if you have one hundred and twenty five then you give two camels (older than three year's old) and one goat, the same amount of camels are given for one hundred and thirty but two goats etc. Then if you have one hundred and fifty then give three camels (older than three years old).

Zakat on Cattle

- Rule: If you have less than thirty cows then Zakat is not necessary. When you have thirty then the Zakat is one calf older than one year. If you have forty then the Zakat is one calf older than two year's old. This rule applies to upto fifty nine cattle. On sixty cattle the Zakat is two calves older than two year's old. Then the rule is on every thirty one calf one year old and on every forty one calf two year's old. For example on seventy you would give two calves one calf that is one year old and one calf that is two year's old. For eighty you would give two calves that are both two year's old etc.etc.
- Rule: The same rule applies to cows and buffaloes and if you have a mixture, then they would be added together. For example, if you have ten cows and twenty buffaloes then Zakat would have to be given. The Zakat given is the calf of the animal that there is more in quantity, e.g. if you have more cows than buffaloes then a calf of a cow would be given. If the amount is equal then the calf of the animal is given that is worth more in value [Alamgiri].

Zakat on Sheep and Goats

If you have less than forty sheep or goats then Zakat is not necessary. Between forty and one hundred and twenty then you would give one goat or sheep, meaning regardless of the quantity between this figure, only one goat is sufficient. Two goats are given for the quantity between one-hundred and twenty one and two hundred. Then upto between 201 and 300, three goats are to be given. Between 301 to 400, four goats are given in Zakat. Then for every hundred extra one extra goat is given and for any goats that are between the hundred mark, then there is no extra Zakat.

- Rule: The choice is yours as to whether you give a male or female, however it is necessary that the animal is not younger than one year old. If this is the case then the value of a one year old goat would have to be given [Durr-e-Mukhtar, Bahar]. Lamb, sheep or goat are all regarded as the same and if you do not have a complete set of one kind then they are to be mixed together and you can give sheep or lamb in Zakat but they must be older than one year [Durr-e-Mukhtar]. If someone has a mixture of camels, cattle and goats but none complete their individual Nisaabs then there is no need to add them together and Zakat is not necessary.
- Rule: If you have horses, donkeys or mules then even if they are for grazing they are not Saima. If they are for business then they would be treated as business stock and one fortieth is to be given on their value.

ZAKAT ON CROPS AND FRUIT

Which ground is regarded as Ushr (one tenth) and as Nisf Ushr (One twentieth) ?

The Holy Prophet Sallallaho Alaihi Wassallam has stated that the ground that has rainfall falling on it or has a stream of water wetting the ground or is looked after by water from a river or stream then it has to be given in Ushr (one tenth of the crops to be given to charity) and the ground that has to be given water where the water is brought to the ground on an animal etc. then that has to be given as Nisf Ushr (one twentieth of the crops to be given) [Bukhari etc.].

- Rule: The farming ground that is watered by rainwater or from a stream then Ushr has to be given i.e. one tenth of the crops have to be given. If the farming ground is watered for some days by natural water and some days from brought water in buckets etc. then if more of the days is used using the natural water and a few days from water in buckets then Ushr is Wajib, otherwise Nisf Ushr [Radd-ul-Mohtar, Durr-e-Mukhtar].
- Rule: Land that has been given on rent for farming then the Ushr is upon the farmer to give [Radd-ul-Mohtar].
- Rule: If Ushr land has been divided between the cultivator and the landlord then the Ushr has to be paid by both of them. If the land is a taxable source then the tax has to be paid by the landowner [Radd-ul-Mohtar].

Different types of land

Rule: There are three types of land;

1. Ushri

2. Taxable (Khiraji)

3. Non Ushri and non taxable.

It is necessary to give tax on land that is taxable. It is necessary to give Ushr on land that is Ushri or land that is non Ushri and non taxable. Ushri land is that land where it is necessary to give Ushr, meaning whatever grows one tenth of it and taxable land is that land where tax has to be given, meaning that much tax which the king of Islam has fixed, whether it be fixed as a percentage of the crops e.g. one quarter or one third or half or a fixed amount e.g. ten or twenty rupees per acre or something similar to what Hazrat Umar Farooque had fixed.

- Rule: If you are aware of what the railing Islamic sultanate has fixed then give that much as long as it is not more that what is fixed in the Hadith by Hazrat Umar Farooque, and where there is no fixed amount mentioned in the Hadith then no more than half of the crops are to be given and it is also a condition that the land is capable of growing the crops [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If you are hot aware of what the Islamic Sultanate has fixed then give what has been fixed by Hazrat Umar Farooque and if this is not known then give half [Fatawa-e-Razvia].
- Rule: Where there is no Islamic Sultanate then people there should themselves spend on the poor and needy and those who themselves have to rely on tax [Bahar-e-Shariat].
- Rule: The land in India is not regarded as taxable unless a particular land is proven to be taxable according to Shariat [Bahar-e-Shariat].

For whom and for what is Ushr necessary ?

- Rule: It is not a condition to be an adult or to be sane for Ushr to be necessary. Whatever grows on land which is owned by a child or an insane person has to be still given Ushr [Alamgiri, Bahar]. If the person whom Ushr is necessary upon dies and the cultivator is present then the Ushr will be taken off him [Alamgiri, Bahar]. Rule: It is not a condition for Ushr that a whole year has to pass, in fact if in one year in one piece of land crops have grown many times then Ushr has to be given every time [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: Nisaab is not a condition for Ushr, if even on Sa'a is grown the Ushr must be given [Durr-e-Mukhtar, Radd-ul-Mohtar]. If honey is made on Ushri land or on mountains or in the wild then Ushr is necessary on it and in the same way Ushr is necessary on honey that is taken from flowers from the mountains or from the wild, the only condition is that the king of Islam has made necessary precautions for that honey to be protected from poachers, thieves or robbers, otherwise it is not necessary to give Ushr [Durr-e-Mukhtar, Radd-ul-Mohtar]. Ushr is necessary on wheat, barley, corn, oat, rice and all types of linseed, safflower, walnuts, nuts and all types of fruit, cotton, flowers, sugarcane, melon, watermelon, eggplants and all types of vegetables whether a little or a lot has been grown [Alamgiri, Bahar]. Whatever grows in a house or mausoleum (shrine) is neither Ushri or taxable [Durr-e-Mukhtar, Radd-ul-Mohtar]

Land that qualifies as Ushri or Taxable (Khiraji)

- Rule: If a Muslim has made a garden in their house and gives Ushri water to it then the land is regarded as Ushr and if taxable water is given then the land is regarded as taxable. If both types of water is given then the land is regarded as Ushri. If a settler (non Muslim) has made a garden in his house then the necessary tax will be taken. Water from the skies, a well, streams, sea etc. is all regarded as Ushri water. If a pool is dug by immigrants then that is regarded as taxable. If infidels had dug a well and it is now in the hands of Muslims or it was dug on taxable land then the water is taxable (Khiraji) [Alamgiri, Durr-e-Mukhtar].
- Rule: There are many ways a land is regarded as Ushri, for example, if Muslims won the battle and the land was distributed between the Mujahideens or the landowners themselves converted to Islam. A battle did not occur and some land which was not being used was next to some Ushri land that was taken into farming or that land was given some Ushri water, all the above conditions means that the land is Ushri, there are also other reasons which make the land Ushri and you will find these in larger books.
- Rule: There are many ways where land is also regarded as taxable (Khiraji), for example, Muslims won the battle and gave that land to the inhabitants as a favour or gave it to other infidels or that country came into a peace agreement with Muslims , or an immigrant bought Ushri land off Muslims or used Khiraji water on Ushri land then in all these cases the land will be regarded as Khiraji. There are also other reasons where land is regarded as Khiraji.
- Rule: If Khiraji land is watered with Ushri water, the land will still remain as taxable.
- Rule: The land that is not regarded as Ushri or Khiraji is for example, land that has been won in battle by Muslims and is kept until the day of judgement by Muslims or the owner of a piece of land dies and the land is given in Bait-ul-maal, then in these situations the land is not Ushri nor taxable.

Tax is not counted by giving it to the government -Where can tax (Khiraj) be given ?

- Rule: The money that is given to the government for day to day living cannot be counted as Khiraj tax. The tax will remain the responsibility of the owner and it is necessary to give it. The tax is hot only given to the soldiers of Islam but all Muslims, where there is a Masjid being built or for the running of the Masjid or for the salary of the Imam or Mo'azzin or for the students learning Islamic knowledge or for the assistance of the scholars of Islam. Those scholars that give speeches and assist in teaching scholars of Islam and those scholars that remain busy in writing fatawas and for causes such as building bridges or roads etc. tax can be given to all the above reasons [Fatawa-e-Razvia].

WHOM CAN ZAKAT BE GIVEN TO ?

Who is a poor person and is defined as a pauper

- Rule: There are seven types of people who can accept Zakat;

  1. Faqir - poor person

  2. Misqueen - Beggar 3 Aamil (Designated Person)

3. Aamil (Designated Person)

4. Riqab - Slave

5. Gharim - Person in debt

6. Fee-Sabeelillah - Spent in the path of Allah

7. Abn-isabeel - Traveller

- Rule: A Faqir is a person who has some property but not enough to make the qualifying threshold known as Nisaab or he has enough to fulfil the Nisaab but some of or all of the property is part of his basic necessities, such as a house to live in and clothes to wear and servants for his care and tools for his profession, then regardless of how expensive they are, they are not counted in Nisaab and if his savings do no total the Nisaab or he has savings but he is in debt and when his debt is calculated it takes his savings below the Nisaab threshold, then this person is regarded as a poor person [Radd-ul-Mohtar etc.]. Rule: A Misqueen is a person who has nothing and is desperate even for shelter or for clothing to cover his body and has to resort to begging. Rule: It is allowed for a Misqueen to beg and it is not allowed for a Faqir to beg. This is because if a person has enough for food or clothing to cover themselves then it is Haram for a person to beg [AlamgiriJ. Rule: An Aamil is a person who has been designated by the leader of Islam to collect money from people for Zakat. He should be given enough so that his and his helpers expense can be fulfilled whilst collecting the Zakat money. He should not be given so much that whatever he has collected, his expense is more than half that amount [Durr-e-Mukhtar etc.]. Rule: Riqab means to give money to a slave so that with this money he can free himself from his master and become a free man.
- Rule: Gharim means a person who has so much debt, that by paying it off he would not have enough left to fulfil the Nisaab [Durr-e-Mukhtar].
- Rule: Fee-Sabeelillah means to spend in the path of Allah. There are many ways this can be done. If a person wishes to go to Jihad (battle for Islam) and he does not have the necessary means for weapons and goods then he can be given Zakat, even if he has the power to earn the money. If a person wishes to perform Hajj and he does not have the means to do this then he can be Zakat to perform Hajj, however, it is not allowed for him to ask or beg for the money. If a student who is studying religion can be given Zakat and this student can even ask or beg for the money when he has specifically reserved himself for the learning of Islamic knowledge, even if he has the power to earn the money In the same way, Zakat can be spent in all pious activities where the condition is that the person taking the Zakat will become the owner of the money, if the intention is not to make the person the owner then Zakat will not be fulfilled [Durr-e-Mukhtar, Bahar].
- Rule: There are many people who send their Zakat money to poor Madressas, they should make sure that they tell the trustees of the Madressa that this money is Zakat money, so that the Trustees can keep the money separate and spend it on the poor children who are studying, otherwise if they are unaware then they may spend the money on other causes, whereby the Zakat will not be fulfilled [Bahar-e-Shariat]. Ibn-e-Sabeel means a person who is travelling and his money has finished then he can take Zakat, even if he has goods or money at home, however, he can only take so much that his needs can be fulfilled and not more as this would not be allowed.
- Rule: It is necessary when giving Zakat that the person whom Zakat is being given to is made the unconditional owner and not just the keeper. Therefore, to spend Zakat money or goods on a Masjid or to buy a Kafan (shroud) for a deceased person

or to pay off a debt of a deceased person or to free his slave or to make a pathway, road, bridge etc. or to have dug a well or stream for water or to buy books and then give them away is all not sufficient and Zakat would not be fulfilled by doing this until you make a Faqir the owner of the Zakat money, however, when the Faqir becomes the owner of the goods or money, he can then spend the money in these causes if he wishes [Johra. Tanveer, Alamgiri etc.].

- Rule: You cannot give Zakat to your immediate parents or grandparents (maternal or paternal) i.e. whom we are children of and nor can you give Zakat to your children or grandchildren. In the same way you cannot give them Sadqah, Fitra, Kaffara or Nazr. As far as Voluntary Sadqah is concerned then this can be given and in fact it is better to give them this [Alamgiri, Durr-e-Mukhtar, Bahar].
- Rule: Zakat can be given to the daughter-in-law or son-in law or to your stepmother or stepfather or you wife's children (from a previous marriage) or your husband's children. You can give Zakat to any of your relatives for whom you are responsible for their maintenance as long as you do not include the money into the maintenance account [Radd-ul-Mohtar]. A wife cannot give Zakat to her husband nor can a husband give Zakat to his wife. However, if a man divorces his wife and he can then give her Zakat after the iddat (probationary period) is over [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: You can give Zakat to the wife of a rich person as long as she is not the owner of Nisaab and the same applies to a rich person's father if he is a Faqir [Alamgiri].
- Rule: You cannot give Zakat to a rich man's non adult children, however, if a rich man's children are adults and they are a Faqir, then you can give them Zakat [Durr-e-Mukhtar, Alamgiri].
- Rule: If a person after basic necessities is the owner of Nisaab, then he cannot be given Zakat. Meaning after the basic necessities he has enough goods or money that totals to two hundred Dirhams (Approx. £400). Even if Zakat is not necessary on this amount, i.e. if a person has six tolas (70 grammes) of gold then this does not complete the Nisaab to give Zakat as the Nisaab is 88 grammes to give Zakat, but this person cannot be given Zakat money. Also for example, if a person has twenty cattle and this totals two hundred Dirhams then this person cannot be given Zakat, even though Zakat does not become necessary on twenty cows.
- Rule: A house, food to eat, clothing to wear, a servant, animal or vehicle for travelling, tools for working, books for a student which are being used for his study are all regarded as goods for basic necessities.
- Rule: A healthy person can be given Zakat even if he has the strength to earn money, although he cannot beg for money [Alamgiri]
- Rule: If a person has diamonds or pearls and they are not for business use then it is not necessary to give Zakat on them, although if they reach the Nisaab threshold then the owner cannot take Zakat [Durr-e-Mukhtar etc.].
- Rule: You cannot give Zakat to people belonging to the BaniHashim family. BaniHashim family means children of Hazrat Ali, Hazrat Ja'far, Hazrat Aqueel, Hazrat Abbas, Hazrat HarisIbne Matlab [Alamgiri, Durr-e-Mukhtar etc].
- Rule: If the mother is Hashmi or a Sayyeda and the father is not a Hashmi then they are not regarded as Hashmi, because according to Shariat the family tree (Nasab) is from the male and therefore they can be given Zakat as long as they qualify for Zakat [Bahar-e-Shariat].
- Rule: Voluntary Sadqa and Lillah can be given to Bani Hashim [Durr-e-Mukhtar, Bahar].
- Rule: An immigrant infidel (Zimmi) cannot be given any Zakat or Sadqa Wajiba (such as Nazr, Kaffara, Sadqa, Fitr) and it is not allowed to give any type of Sadqa to an infidel visitor even if the visitor has gained permission to enter the Islamic country by the authorities (visa) and they cannot even be given any voluntary Sadqa

such as a gift, money etc. Although India is a place where Islam is recognised (Daar-ul-lslam), the infidels in India are not immigrants (Zimmi) and they cannot be given even voluntary money as this is not allowed [Bahar-e-Shariat].

- Rule: Whatever people that qualify for taking Zakat that has been mentioned, the condition has to be that they all must be Faqirs except for an Aamil as they do not need to be a Faqir to qualify for taking Zakat and the other exception is Ibn-e-Sabeel as even if they are rich they are regarded as a Faqir when they are on a journey and they run out of funds. Except for these two, no other person can be given Zakat unless they are a Faqir [Durr-e-Mukhtar, etc.].

Who should be given preference when giving Zakat

- Rule: It is better when giving Zakat, Sadaqa etc. that it should be given to your own brothers and sisters, then to their children, then to your paternal uncles and aunts and then to their children, then to your maternal uncles and aunts and then to their children and then to people living in your home village or town [Johra, Alamgiri etc.]. It is quoted in the Hadith Sharif that Allah Ta'ala does not accept those people's Sadaqat whose relatives are in need of it and they give the money to others [Radd-ul-Mohtar].
- Rule: It is not allowed to give Zakat to Bad Mazhabs i.e. people who belong to a wrong sect [Durr-e-Mukhtar]. In the same way it is not allowed to give Zakat to those renegades who claim to be Muslims from their mouths but lower the dignity of Allah and His beloved Prophet or reject other obligatory beliefs of Islam [Bahar etc.].

Who can beg or ask for financial help

- Rule: That person who has food for today or has the strength to go out and earn then it is not allowed for him to beg and if someone gives him food or money without him asking for it then he is allowed to take it. If a person has food but does not have clothes to wear then he can beg for them. If a person is going or is involved in Jihad or is a student learning Islamic knowledge then they can beg for assistance even though they may be healthy enough to earn for themselves. Just as it not allowed for people to beg, it is not allowed for people to give them aid when they beg for it as the giver will also be committing a sin [Durr-e-Mukhtar, Bahar].

Begging is a degrading act

- Rule: To beg is a very degrading act and should not be done unless it is absolute necessary. It is proven in Hadiths that to beg without necessity is Haram and the person begging is eating Haram food [Muslim, Abu Da'ud, Nisaa'ee etc.]. The Holy Prophet Sallallaho Alaihi Wasallam has stated that 'those who wish to refrain from begging, then Allah will protect them from begging, and those who wish to become rich, then Allah will make them rich and those who wish to be patient then Allah will give them patience [Bukhari, Muslim, Tirmizi etc.]. It has also be reported that the person who opens the door to begging then Allah opens the door of need for him [Ahmad, Tibrani]. The Holy Prophet has also stated that 'those who beg and they have enough to satisfy them then they are wanting fire as the extra, people asked how much is the amount where a person cannot beg, the Holy Prophet replied 'food for morning and night' [Abu Da'ud, Ibn-e-Hubaan, Ibn-e-Khuzaima].

SADAQA AND FITRA

The Holy Prophet Sallallaho Alaihi Wasallam has stated that ' a servant's fast remains stuck between the earth and sky until he gives Sadaqa-e-Fitra [Delami, Khateeb, Ibn-e-AsaakarJ.

- Rule: Sadaqa -e-Fitr is Wajib and the time to give it is the whole lifetime, meaning if you have not given it then give it now as the responsibility will not go away until it is given and when giving it, it will not count as Qaza, but will remain as Adaa, even though it is Sunnat to give it before the Eid Namaz [Durr-e-Mukhtar, etc.].
- Rule: The Sadaqa-e-Fitr becomes Wajib on Eid morning from the break of dawn, and therefore if a person dies before the break of dawn on Eid day or becomes a Faqir then the Sadaqa will not become Wajib for them [Alamgiri].
- Rule: After the dawn has broken on Eid day then a child is born or an infidel becomes a Muslim or a Faqir becomes rich then the Sadaqa-e-Fitr does not become Wajib for them [Alamgiri].
- Rule: If before the dawn has broken on Eid day a child is born or an infidel becomes a Muslim or a Faqir becomes rich then Sadaqa-e-Fitr is Wajib upon them [Alamgiri].
- Rule: If a person dies after dawn has broken then Sadaqa-e-Fitr becomes Wajib upon them [Alamgiri].
- Rule: Sadaqa-e-Fitr is Wajib upon all Muslims who are free (not a slave) and are the owners of Nisaab (i.e. additional to the basic necessities), in this to be sane and be an adult is not a condition nor is it a condition for the goods or money to be within your possession for over a year [Durr-e-Mukhtar].

Whose Sadaqa-e-Fitr is Waiib upon who ?

- Rule: It is Wajib on a man who is the owner of Nisaab to give Sadqa-e-Fitr for himself and for his children, as long as the children are not the owner of Nisaab themselves and if they are then the Sadqa for them will have to be given from their goods. It is Wajib to give Sadqa of a mental child even when they reach adulthood upon the father as long as the child is not the owner of Nisaab themselves, and if they are the owner of Nisaab then the Sadqa will be given from their goods [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: For the Sadqa-e-Fitr to become Wajib it is not necessary that you have to fast, therefore if a person does not fast due to a religious exemption such as on a journey or illness or old age or may Allah protect for a non valid reason a person misses a fast or all fasts then the Sadqa-e-Fitr is still Wajib upon them [Radd-ul-Mohtar, Bahar].
- Rule: If there is no father then the grandfather (paternal) is the guardian and therefore it is Wajib on them to give the Sadqa-e-Fitr on behalf of their grandchildren.
- Rule: A man is not responsible for the Sadqa-e-Fitr of their wife or adult children even if they are physically disabled, even if he is responsible for their maintenance [Durr-e-Mukhtar, Bahar etc.].

Quantity of Sadqa-e-Fitr

The quantity of Sadqa-e-Fitr is half a Sa'a of wheat or it's flour or instead of this half a Sa'a of it's mixture with barley, or one Sa'a of dates or raisins or barley or it's flour or instead of

this one Sa'a of it's mixture [Hidaya, Durr-e-Mukhtar, Alamgiri etc.}. Rule: It is better to give the flour of wheat or barley rather than the grains and it is better than that to give the monetary value, whether you give the value of wheat, barley or dates. However, during a price war or famine it is better to give the goods than money. If money is given for bad wheat then subsidise the rest of the money with the money of good wheat [Radd-ul-Mohtar].

The weight of a Sa 'a

After great study and analysis it is suggested that the price at present (however, this can increase) two pounds and fifty pence (£2.50) The price of half a Sa'a is one pound and twenty five pence (£1.25). One Sa'a is four pounds and six and a half ounces (4lb, 6.5ozl and half a Sa'a is two pounds and three and a quarter ounces (2lb 3 25 ozi For the sake of ease it is better to give four and a half pounds of (4 5lb) barley or dates or two and a quarter pounds (2.25lb) of wheat for each person as Sadqa-e-Fitr.

Who should be given Sadqa-e-Fitr ?

The same people qualify for giving Sadqa-e-Fitr as those who qualify for giving Zakat to except for an Aamil An Aamil can be given Zakat but not Sadqa-e-Fitr [Durr-e-Mukhtar, Radd-ul-Mohtar].

QURBANI - (SACRIFICE)

Definition of Qurbani

Qurbani is a worship with goods and is Wajib upon every rich person. To sacrifice a specific animal on a specific day for the sake of Allah for the intention to gain reward is called a Qurbani. Qurbani is Wajib upon every Muslim who is not a traveller and is the owner of Nisaab and is a free person.

Who is Qurbani Wafib upon ?

Rule: Just as Qurbani is Wajib upon all males it is also Wajib upon all females [Durr-e-Mukhtar, etc]. Rule: Qurbani is not Wajib upon a traveller, however, if he wishes to perform it voluntarily, then he can do so and will gain reward [Durr-e-Mukhtar, etc]. The owner of Nisaab means to have as much goods in addition to the basic necessities an amount of two hundred Dirhams (approx. £300-£400) [Durr-e-Mukhtar, Alamgiri, etc.].
Rule: Whoever has two hundred Dirhams or twenty Dinars in addition to the basic necessities or is the owner of goods that equal to two hundred Dirhams etc. then according to Shariat that person is rich and Qurbani is Wajib upon them [Alamgiri etc.].

Time of Qurhani

The time of Qurbani is from the break of dawn of the 10th of Zil Hajj to sunset on the 12"1 of Zil Hajj, meaning three days and two nights. However, it is better to perform it in the morning of the 10"1, then 11th, then 12th.

- Rule: If the Qurbani is performed in a city then the condition is that it is performed after the Eid Namaz and because there is no Eid Namaz in villages and outskirts then it can be performed after the break of dawn.

- Rule: It is necessary to perform Qurbani at the time of Qurbani, therefore, if that much money or the same amount of goods to the value of an animal is given then the responsibility of Qurbani will not be fulfilled [Alamgiri etc.].
- Rule: If the time of Qurbani has passed then a Qurbani can no longer be performed and if you had purchased an animal for Qurbani then give it as Sadqa or give the amount of money equivalent to the value of a goat as Sadqa [Darr-e-Mukhtar, Alamgiri, etc.]

Rules of Qurbani

Once the conditions of Qurbani are fulfilled (as mentioned above), then to sacrifice one goat or sheep or lamb or one seventh of a camel, cow, buffalo is Wajib and no less than this can be performed. If a person's share of a large animal is less than one seventh then their share of the Qurbani will not count (meaning, if eight people are jointly sacrificing one large animal then only seven of these people's Qurbani will count). If there are less than seven people jointly performing Qurbani and the parts divided are equal to at least one seventh per person then the Qurbani will count.

- Rule: Every person that is jointly performing Qurbani have to make the htention that they are doing it to gain reward and not just to gain the meat and therefore a person wanting to perform an Aqueeqa can also join in as this is done to gain reward [Radd-ul-Mohtar].

Method of performing Qurbani

The animal that is going to be sacrificed should be fed and given water. The knife that is going to be used should be sharpened beforehand, but not in front of the animal. The animal should be laid on it's left side with it's face pointing towards the Qibla and the person slaughtering the animal should put their right foot on the animal and quickly slaughter the animal using a sharp knife. Before slaughtering the animal, this Dua should be prayed;

"Inni Wajjahto Waj'hiya Lillazi Fataras Samaawaat'e Wal'arda Hanifaw Wamaa Anaa Minal Mushrikeena, inna Salaati Wa Nusooki Wa Mah'Yaaya Wa Ma'maati Lillahi Rabbil Aalameen. Laa Shareeka Lahu Wa Bizaalika Umirtu Wa Anaa Minal Muslimeena Allahumma Laka Waminka Bismillahi Allahu Akbar".

As soon as you finish praying the Dua, start cutting with the knife. If the Qurbani is from yourself then after slaughtering pray this Dua;

"Allahumma Taqabbal Minni Kamaa Taqabbalta Min Khaleelika Ibraheema Alaihis Salaam Wa Habeebika Muhammadin Sallalaho Alaihi Wasallam"

When slaughtering cut all four veins (in the throat) or at least three veins and so that the knife reaches the back of the throat and it should not be cut more than that as it would cause unnecessary pain for the animal. As soon as the animal goes cold then cut the feet and take off the skin. If you have slaughtered the animal on behalf of someone then at the point where you pray "Minni" pray "Min Falaa" (meaning their name). If the animal is bought jointly and there are more than one person involved in the partnership of the animal such as a cow, camel, buffalo etc. then all their names should be said in place of 'Falaa'.

- Rule: If someone else is performing the slaughter for you then it is better to be present.

Rules of meat and the skin

If the animal is bought jointly then the meat should be weighed and equally distributed. It should not be divided roughly because if it is divided un-equally then even if the person receiving less, forgives them it will not be forgiven as the right is as per Shariat [Radd-ul-Mohtar, Bahar]. Then split your share into three parts and give one third to the poor as Sadqa, one third to your relatives and one third for yourself and eat the meat yourself and give some to your wife and children. If you have a lot of children and a large family then you can keep all the meat for yourself and if you so wish you can give all of it to Sadqa, however, it is better to keep one part of yourself.

- Rule: If you have performed a Qurbani on behalf of a deceased person then the rule of the meat is the same, however, if the deceased had requested for the Qurbani then give all the meat away as Sadqa.
- Rule: If the Qurbani is from a deceased person then the meat cannot be eaten by yourself nor Can it be given to a rich person, but it is Wajib to give all the meat away as Sadqa [Bahar].
- Rule: It is Mustahhab for the person performing the Qurbani to eat the Qurbani meat as the first food of the day [Barraur-Raiq].
- Rule: The meat of the Qurbani should not be given to infidels.
- Rule: The animal's skin, reins, saddle etc. should all be given in Sadqa. You can use the skin for yourself and make something out of it e.g. a leather bag or a mat for praying Namaz on. However, you cannot sell the skin and use the money for yourself, if this is done then the money has to be given as Sadqa [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: Nowadays people usually give the skins to Madressas, this is allowed and if you sell the skin with the intention to give the money to the Madressa then this is also allowed [Alamgiri, Bahar].
- Rule: The meat of the Qurbani cannot be given to the person performing the Qurbani or skinning the animal as labour or salary. If however, you give it as a gift as you would do to friends then this is acceptable, but you cannot include it as a form of payment for his work [Hidaya etc.]. Rule: There are many places where the skin is given to the Imam. This should not be given as part of his salary but can be given as a gift or assistance [Bahar-e-Shariat].

Which animals can be used for Qurbani

Animals for Qurbani - Camel, cow, buffalo, goat, ewe (male or female), eunuch, large eunuch can all be used for Qurbani [Alamgiri].

- Rule: Wild animals such as deer, white antelope, reindeer cannot be used to perform Qurbani. Rule: A sheep or lamb are included in the eunuch category.

Age of a Qurbani Animal

- Rule: A camel must be at least five years old, a buffalo must be at least two years old and a sheep or lamb or goat at least a year old. If they are younger than this then the Qurbani will not count. However, if a lamb or a eunuch's young is so big at six months that by looking at it from a distance it looks to be a year old then it can be used for Qurbani [Durr-e-Mukhtar].

What should a Qurbani Animal be like ?

- Rule: A Qurbani animal should be big and healthy and should not have any faults. If there is a small fault with the animal then the Qurbani will count but is Makrooh and if there is a big fault then the Qurbani will not count [Durr-e-Mukhtar, Radd-ul-Mohtar. Alamgiri]. Rule: If a bull has no horns from birth then it is allowed and if the horns have been broken upto the root then it is not allowed to use it for Qurbani and if they are a little broken then it is allowed [Alamgiri, etc.]. Rule: A blind, lame, cross-eyed, mad, cut-ears, cut-tailed, toothless, cut-teats, dried teats, cut nosed, deaf from birth, a hermaphrodite (where an animal's both sexual organ's exist), an animal that only eats impurities then all of these animals cannot be used for Qurbani [Durr-e-Mukhtar, Bahar].
- Rule: If the illness is small and the lameness is not that bad so that the animal can walk upto the slaughter-house or the ears, nose etc. are less than a third cut then the animal can be used for Qurbani [Durr-e-Mukhtar, Hidaya, Alamgiri].
- Rule: If when performing the Qurbani the animal jumped and shook and due to this it became faulty then there is no harm [Durr-e-Mukhtar, Radd-ul-Mohtar].
- Rule: If you performed a Qurbani and found that there is a live born inside then that should also be slaughtered and can be made use of, and if the young inside is dead then it should be thrown away [Bahar-e-Shariat].
- Rule: If after purchasing and before the Qurbani the animal give birth then the new-born should also be slaughtered and if it is sold then the money should be given away as Sadqa and if it is not slaughtered before the Qurbani then give it away live as Sadqa [Alamgiri, Bahar].

NOTICE: Just look at our master and king the Holy Prophet Hazrat Muhammad Mustapha Sallallaho Alaihi Wasallam's big heart and concern that he made a Qurbani on behalf of his Ummat and thought of us, therefore, if a Muslim can then they should perform an additional Qurbani on behalf of the Holy Prophet then it would be a very good and fortunate act [Bahar-e-Shariat].

AQUEEQA

Definition of Aqueeqa

Due to the happiness of when a child is born, the animal that is slaughtered is known as an Aqueeqa.

When should an Aqueeqa be performed

- Rule: An Aqueeqa is Mustahhab and it is better to perform it on the seventh day. If it cannot be performed on the seventh day then perform it whenever possible and the Sunnat will be fulfilled.

- Rule: Two goats should be slaughtered for a son and one goat for a daughter, also a male animal for the boy and a female animal for the girl, if however, if this is vice-versa then it is also accepted. If you cannot afford to slaughter two then for the boy one female goat would also do.
- Rule: If you slaughter a cow or a buffalo then for the boy you would specify two parts and for the girl one part. Rule: You can mix parts of Aqueeqa with a Qurbani animal. The same conditions apply for an Aqueeqa animal as for the Qurbani animal.

What should be done with the Aqueeqa meat ?

- Rule: The meat of the Aqueeqa should be given to the poor, friends and relatives raw or cooked, or it can be served as a meal and all the people invited, in all cases it is allowed.
- Rule: For pious prediction don't break the bones and if you do break them then this is not forbidden. You can cook the meat in whichever way suits you but to cook it salty is a means that the child will become with good characteristics.
- Rule: The Aqueeqa meat can be eaten by all relatives such as mother, father, grandfather, grandmother etc.
- Rule: The rule for the skin of the Aqueeqa is the same as for the Qurbani animal, meaning you can make use of it yourself or give it to someone or give to a Madressa or Masjid.

Dua for Aqueeqa

When slaughtering the animal for Aqueeqa, pray this Dua;

"Allahumma Haazihi aqueeqatu ibn-e-Falaa (Instead of Ibne Falaa state the your child's name if you are slaughtering the animal yourself, and if someone is performing the Aqueeqa on behalf of someone then say the child and the child's father's name) Damuhaa Be-Damihi Walah muha Bi Lahmihi Wa'azmuha Be-Azmihi Wa Jilduha Be-Jildihi Wa'Sha'ruha Be Sha'rihi Allahummaj Alha Fi'da'al Li'lbne Minannaar'e Bismillahi Allahu Akbar"

If the child is a girl then pray this Dua ;

"Allahumma Haazihi aqueeqatu Binti Falaanatan (Instead of Falaa state the name) Damuhaa Bi damihaa Walah'Muhaa Bilah'Mihaa Wa'azmuhaa Bi azmiha Wajilduha Bijildiha Washa'ruha Bisha'riha Allahummaj Alhaa Fida'al libinti (if the daughter is yours, and if it is someone else's then say Bint Falaa) Minanaaar'e Bismillali Allahu Akbar"

If you do not know this Dua then by just praying Bismillahi Allahu Akbar the Aqueeqa will be complete [Bahar-e-Shariat].

Wallaahu Ta'ala A'lama Wa'ilmahu Ahkam Wa'atam Wa Sallalaho Alaihi Wasallam"

Alhamciolillah - The translation of this book (Vol.1) was completed on the 11"' of Ramadhan 1418 al Hijri.

May Allah Subhana Wa Ta'ala with the Wasila of His most beloved Prophet Salallaho Alaihi Wasallam accept this work and reward the Isaal-e-Sawab to Hazrat Huzoor Mufti Azam Hind Mustapha Raza AI-Qadri Razvi Noori Alaihi Rahmat-o-Wa Rizwan. Ameen.

The Hajj

After entering into the Islamic Fold or community by accepting the Faith (Eiman) as heart and pronouncing the said Faith through verbal declaration Four Fundamental modes of worship (Ibadat) become obligatory in every Muslim.

These are:

1. The Salaat or Namaz
2. Sayam (Fasting)
3. Zakaat (Poor-rate)
4. Hajj (Pilgrimage) to Holy Lord of Makkah and Madinah.

The Performance of Haj begins with the observance of the prescribed process laid down in this behalf in letters and spirit the very first essential part is to enter the Holy Land of Makkah by wearing the Ahram (Un stitched) long piece of cloth (preferably cotton) form the fixed places and on entering the inner limits of Khana-e-Kaaba (also known as Haram Sharif) the intending pilgrim (Haji) must go (at least seven times) round the Holy Kaaba, known as Tawaf (literal meaning is going round and round) followed by the normal paced running up and down between the famous hillocks of Safa and Merwa (or Sa'ee) with these initial rituals being fulfilled the Hajis make a compulsory stop over and stay at the Maidan-e-Arafat (near Mecca). This is the most obligatory part and procedure of the Hajj. Further details of these and other rituals and ceremonies shall be declare in the following. The Deseriptim, so far only constitutes the introduce to the great and more elaborate procedures and processes of Hajj.

As soon as a person becomes eligible for Hajj, it becomes obligatory for him to undertake this pilgrimage at the first available opportunity. A delay in the connection will amount to commit a run and if he fails to discharge this obligator continuously for years, he will be deemed a sinner (and liable to punishment) in the eyes of Allah and his evidence will not be worth reliance. However there is no Qaza (compensating an obligation -Farz- at a later date) at whatever time he performs Hajj it will be adjudged as having been performed in time (Ada).

Time for Hajj

The time for Hajj is from the month of shawwal (10th month of Hijri calender)till the 10th of Zil Hajj (the 12th and the last month of Hijri calendar). Before shawwal and after 10th Zil Hajj the Hajj is not permissible except Ahram which can be performed before this, but this is makrooh.

Conditions for Hajj

There are eight (8) conditions for the Hajj which must be all present at the time of performing Hajj to make the Hajj, Farz (obligatory). These conditions are:

1. To be a Musalman.

2. If he is residing in Darul Harb (literally it means a city or place which is at war with Islam. In general ENNOTAHAN it stands for any un-islamic country) and it should affirmed that the obligation of Hajj is declared as such for the residents of that place.
3. To be major in age(Baligh).
4. Possessing normal sensibility (Aqal). Note Hajj is not Farz on a person who is mentally deranged.
5. To be independent or Free (not a slave)
6. In good health to go to the Hajj and perform various rites etc with fortitude. NOTE: Hajj is not obligatory on a handicapped person, a blind and one whose legs have been WIMPUTED, or one who is so old and DECEXPIT who is unable to sit a right on a carriage of riding animal.

PROBLEM:-Formally a person was normal and eligible in all respects, but did not perform Hajj, now he becomes handicapped and can not go to the Hajj, he is now exempt from the Hajj, however, he can sent some one for Hajj-e-Badal (doing Hajj on his behalf, This will give him the reward (sawab) for the Hajj and the man doing Hajj on behalf will also be rewarded).

7. He should possess enough resources and be capable to BEAR THE TO AND FOR expenses of Hajj (it means that before proceeding for Hajj he should leave sufficient money for the household expenses in his absence after meeting all expenses such as travel ,transport, stay at the Holy Places etc ; this means the money/resources left at home should SUFFREE the expenses for a moderate clan of family, which he used to support and eater for the needs of his own family and those dependent on him for their essential necessities, known as Hajjat-e-Asliyah which includes the living accommodation clothes of normal use, servants, riding animals, vocational implements, cooking and eating material, borrowings or dues such as loan or dowry.

PROBLEM:-If the means of livelihood and maintenance of the family of the intending pilgrim depend upon the trade/business run by him, then he must leave such quantity of financial security which would not only meet the demands of the family during his absence but would also enable him to resume business/trade with that money, without disturbing the normal affairs of the family. On in this case, Hajj shall be farz (teller of the soil), then offer meeting all essential expenses of the Hajj, beginning with his departure from and arrival back to his house, he must have sufficient amount kept at home to bear the expenses of the implements purchase of seeds etc on his return; only then the Hajj shall be binding of that intending pilgrim.

8. Time: Hajj shall become obligatory at such at time if before proceeding for Hajj he possesses such amount of money that will cover his expenses up to Mecca Moazzama and back to be there at the time of Hajj.

PROBLEM:-For a lady traveler for Hajj if the time distance is of 3 days or more then she must be accompanied by a *Mahram,
whether she may be young or old, if the woman travels without any Mahram, she will be committing an act against the law of the Shariat, but if she performs the Hajj without Mahram, the Hajj will be an order and the Farz will be fulfilled.

*Mahram: the man with whom the marriage of the woman is prohibited (Haram) for ever, whether it may be on account of family line age (such as father, son, uncle, brother) or an account of foster age (Raza'at like foster brother, foster father, foster son) P.T.O.

PROCEDURE OF HAJJ

On entering the Holy Land of Mecca and on coming near the *MEEQAT, the intending pilgrim should perform Wazu (ablution) and Ghus'l (Bath), apply perfume and put on the**Ahram, offer two rakats of Nafil with the intent (Niyat) of Ahram and after this recited this prayer.

TRANSLATION:- O Allah! I desire to (perform) Hajj, so make it easy for me and accept it from me; I have made intent (Niyat) for the Hajj and have put on Ahram specially for Almighty Allah.

After this he must recite "Lab'baik in a loud voice (at least three times at a stretch). The full Text of Lab'baik is this

TRANSLATION:-

After reciting Lab'baik, he should recite Durood Shareef and read this prayer (Dua')

TRANSLATION:-"O Allah! I beseech Your Pleasure and the Paradise; and I seek Your Refuge from Your Wrath and the Fire (of Hell)."

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or it may be on account of relation based on in-law ties (Susrali) like father in law, son of the husband etc).

*Meeqat:Meeqat is the place from where no person preceding to Mecca Sharif should go without `Ahram'. These are five different places in the vicinity of Haram Sharif (Holy Kaba). For persons of the sub-continent of traveling by sea is YALAMOLAM beside the mountain.This place comes through Kamraan and enter the ocean. When the Port Jeddah comes within two or three mile posts (Manzil), the crew of the ship shout loudly informing the people to put on the Ahram.

**Ahram:Unstitched long piece of cloth, popularly known as `Tahband' or `Tahmad' (long single piece of cloth worn round the waist, mostly by men folk) and another piece of cloth of Chadar. The Tahband should be worn in the normal way, while the chadar should be placed in such a way that it covers both the shoulders, the back and the chest completely.

PROBLEM:-While in a state of Ahram it is not permissible that one wears a stitched cloth.(NOTE:This ends the foot note of the page and carrier over as above. Other points of mentioned as foot note on the page no.178 of the Book have been incorporate in the running text, resumed here below)

Then moving forward he should recite Lab'baik loudly at least thrice at a time on each occasion when he recites 'Lab'baik. The rehearsal of Lab'baik should be repeated at every turn of movement while offering prayer or changing states, almost incessantly while engaged or disengaged in religious activities. In broad outlines, these occasions are: except from while making Tawaf round the Holy Kaaba, the invocation of Lab'baik should continued countlessly tell the rite of `Rami Jumra' (stoning the devil satan), especially on climbing and coming down the hills (or other elevated places of movements in the Mecca Sharif), meeting of two caravans morning and evening. Last part of the night and after each of the five compulsory prayers; in short at every turn of events or movements in prayers, with or

without ablution. Men talk should recite Lab'baik in a loud voice, but not so loud so as to disturb others, while the women should recite the `Labbaik' in a soft voice.

This is the state of Ahram; one should avoid doing or committing a things which are forbidden during the state of Ahram. All around Mecca Sharif for many miles there are forests in which shrubs, plants and trees grow, there are tracts green grass in scattered spaces which are separated from one another by boundary walls. Within these bounded tracks it is forbidden to pluck green grass, cut down the mushroom grown trees or plants to tease the wild animals grazing or living there. All this is haram. The safety and regard for the animals of the Haram Sharif is that if a gazelle, commonly known as deer be sitting under the shade of tree for rest while there is unfenced hot and sun shine around, it is forbidden to drive away the animal simply to take its place for shade and comfort. If some one brings a wild animal within the limits of the Haram Sharif, the same becomes sacred and it should be freed at once. There are many untamed or wild pigeons in Mecca Moazzama. These pigeons are also found living in domestic places, at times scattering their refuse on the ground floor of the house. Whatever their movements in and around the dwelling places, but its absolute forbidden to tease the a drive away these pigeons. Some people coming from nearby places do not have the affection for these pigeons. This is undesirable, these poor creatures should be left to themselves, they should not be teased or harassed out of ignorance or dislike. It is worth considering that when the wild animals of Mecca Mokarrama are given so much regard the worth are status of human life and honor can be very well realized. All these things which have been described here are not exclusive while one in a state of Ahram; on the other these are general ever lasting principle applicable in all conditions whether a persons is with Ahram or otherwise.

Coming back to our main topic of Hajj when a person has gone on this extremely sacred mission. When the intending pilgrim comes near the Haram Sharif, he should proceed with due reverence and respect, head bowed down and eyes fixed on the ground, which are the outward signs of humanity and devotion. It is still more humble and respectful if the persons walks barefoot, repeating the `Labbaik'and the one as much as possible. When he approaches the Haram Sharif and his eyes fall on the Mecca Moazzama (Khana Kaaba) he should pause for a while; he should recite the following `Dua' at the first sight of the Holy Kaba.

TRANSLATION:- O Allah! grant me comfort by (the blessing of) this, (The Sacred House of Kaaba) and grant me subsistence and pure and clean livelihood in this (Holy Place).

The Durood Sharif should also be recited as much as possible. It is preferable that the man should enter the city after washing and purifying himself with a bath and when he entered the Jammat-ul-Mualla he should pray for the departed souls who are buried these. After this, when he begins to enter the Mecca Sharif he should recites this dua;

TRANSLATION:- O Allah! You are my Lord sustainer and I am Your slave

After going a little further ahead when he reaches Mud'aa he should stop here and after waiting a little here, he should pray with utmost humility and solemnity for the welfare and prosperity for himself, his Kith and kin, friends and all the muslim ummah, the dua should also include Divine mercy for forgiveness of sins and admittance in the Paradise without accountability on the Day of Judgement. This is the moment of acceptance of prayers in the Presence of Allah the Almighty. Recitation of Durood Sharif as much as he can, is very effective at this place and on this occasion, he must repeat "Allaho Akbar" and `La ila ha Ill llah' three times each and recite the following prayer (in Arabic)

TRANSLATION:-"O Allah! Grant us beneficence in this world and in the Hereafter and protect us form the punishment of the Fire (of Hell). O Allah! I beseech You of the welfare which Your Prophet Muhammad (Sallalla ho Alaihe wa Sallam) besought of You; and I seek You Refuge from the Evil which Your Prophet Muhammad (Sallalla ho Alaiha wa Sallam) sought Refuge form."

He should also recite this Dua;

TRANSLATION:-

He should also recite this comprehensive `dua' at least three times at the place;

TRANSLATION:-"O Allah! This is Your House and I am Your slave. I beseech You of forgiveness and security in the world and the Hereafter for myself, my parents, and for all Momineen, men and women, for Your slave Shamsuddin. O Allah! grant him victory, a grand victory (Amin)".

He should then move forward and when he reaches Mecca Muazamma, he should first of all enter the Masjid-e-Har'am, remembering Allah and His Apostle all the time and praying for the success and prosperity of all the Musalman, in the world and in the Hereafter. Reciting `Lab'baik' he should approach Bab-us-Satam and kissing the threshold he must put right foot forward and enter the Haram Sharif and recite this Dua,

Remember this dua by heard and whenever you happen to enter Masjid-ul-Haram (or any other masjid), recite this dua or prayer; and add the following phrases in this dua,

TRANSLATION:-"O Allah! You are Satam (security) and form You is security- peace and the peace returns to Your presence (ultimately). O our Lord! keep us alive with security and admit us in the Paradise (Daras Satam - the Abode of peace). O our Lord! You are full of Blessing and Highly Elevated, O the Lord with Grandeur and Beneficence. O Allah! This is Your Haram and the Place of Your peace. Forbid and deter the Fire for the Hell to on engulf my flesh, my skin, my face, my blood, my brain and my bones. (Amin)

SKETCH OF KABA SHARIF

When the sight (eye) falls on the Kaaba Sharif, he should recite "La' ila' ha Il lul la'ho, Wol Laho Akbar" three times, then the Durood Sharif and this Dua'

He should start `Tawaf' (going round the Khana-e-Kaaba) in the Name of Almighty Allah. The `Tawaf' in the fixed limits known as Mutafa or the place of Tawaf should begin from the Hajar-e-Aswad in the way that when approaches Hajar-e-Aswad, he should recite this prayer (dua),

TRANSLATION:-There is no god but Allah. The One, He made His Promise True and He helped His (Apostle) servant (against the infidels) and vanquished their forces. He is Absolutely One, He has no Associate (in His Godhood), The rule of the world belongs to Him, all Praise is due to Him and He has Power (and Authority) over every things.

Before starting Tawaf (going round) of the Kaaba Sharif he must perform ISTABAA.

Then keeping his face at the Kaaba at the right side of the Hajar-e-Aswad, he should stand

by the Rukn-e-Yaman in such a way that the full view of Hajar-e-Aswas remains at his right hand. Now he must make the Niyat (intent) of the Tawaf saying.

("O Allah! I intend to make Tawaf of Your sacred House, so make it easy for me and accept it from me.")

After the Niyat keeping the face towards the Kaaba, he should move on the right side and when he reaches Hajar-e-Aswad, he should raise his hands up to the ears and opening the palms towards Hajar-e-Aswad he should recite

Now, if it is possible, he should try keeping his palms at the sides of the Hajar-e-Aswad, to kiss the Hajar-e-Aswad in a soft reverential manner without make sound of his kiss. He should do this three times. If he succeeds to touch the Hajar-e-Aswad with his lips, then he must regard himself a most fortunate that he is blessed with the Divine favor to allow him to kiss the Hajar-e-Aswad to which the lips of the Holy Prophet Hazrat Muhammad Mustafa -Sallallaho Alaihe Wa Sallam- had graced by their holy touch over 1400 years ago. If on account the pressing such he can not succeed to kiss the Hajar-e-Aswad, he should not resort to push and move others to achieve his desire. If he can touch the Hajar-e-Aswad by the hands, it is enough for him to touch the Hajar-e-Aswad, and then kiss his own hands. If even this is not possible to touch the sacred stone on account of rush then he should keep his open palms towards the Hajar-e-Aswad and kiss then feeling at heart had he is kissing the Hajar-e-Aswad. This process of kissing is known as ISTILAAM (presenting and conveying the good wishes of salaam). At the time of ISTILAAM, he should recite the following prayers (dua):

(" O Allah! Forgive me of my sins and purify my heart and expand my breast and make easy my affair and give me protection and those whom You gave protection"). Then he should recite,

(" O Allah! I affair my Eiman with You, and testify the Truth of Your Book (The Holy Quran) and fulfill The Promise with You and obey and follow the sunnat of Your Prophet Muhammad - Sallallaho Alaihe Wa Sallam - and bear witness that there is no god but Allah The only One, there is associate with Aim, and I bear witness that Muhammad (Sallahllaho Alaihe Wa Sallam) Abid and apostle. I affirm my Eiman with Allah and denounce (reject) the and the Devil saying this he should proceed towards the door (exit) of the Kaaba and while doing so when he has passed by the Hajar-e-Aswad, he should stand erect and walk in such a way that the Kaaba remains on his left hand. While walking he should not ease inconvenience to any one, he should remain as close to the Kaaba as possible, without touching the cover of the Kaaba by his body or the clothes, when he comes in front of the MULTAZIM, he should recite this dua:

TRANSLATION:- O Allah! This House is Your House, and The Sacred Place of Your Sacred Place, and The Peace of Your Peace and this is Your Place of protection from the Fire (of Hell), so protect me from the Fire (of Hell). O Allah! give me contentment with what Your have provide me and grant blessing (and affluence) in it and I pray in absence of those who are not present. There is no god but Allah the One, there is none to associate Him, The governance of the Universe belongs to Him, all Praise is due to Him, and He has Power (and Authority) over every thing.

When he comes in front of the Rukn-e-Arafi, he should recite this dua,
(O Allah! I seek Your refuge form prevarication (skepticism) and infidelity (disbelief),and when he comes in front of MEEZAAB-E-RAHMAT, he should recite the following dua,

(O Allah! Give me shade below the Shade of Your Throne on the Day when there is no Shade except Your shade and nothing shall survive except Your countenance and make me drink from the Pond of Your Apostle Muhammad -Sallallaho Alaihe wa Sallam- the sweet drink after which there shall be thirst for ever).

And when he reaches RUKN-E-SHAMI, he should recite the following prayer;

(O Allah! Make this as Hajj-e-Mabroor (Rule of Goodness and Blessing) and the endeavor (worthy) of Thankfulness and the trade/business where there is no loss O one Who Knows what is in the heart (breast). Take me away from the darkness towards the Noor, light.

And when he comes to the RUKNE-E-YAMANI, he should touch it with both hands or only the right hand, he may also kiss at if he so desire; he should recite this prayer;

(O Allah! I beseech Your Forgiveness and Security in this world and in the Hereafter).

Just ahead of the RUKNE-E-YAMANI there is mustajab. Here he may recite the above mentioned dua or recite,

or he may only recite Durood Sharif.(NOTE: At this place or at all those places where he prays for himself he may preferable recite only Durood Sharif instead of other prayers/duas. Dua, Durood etc should not be recited very loudly).

Now after turning round the aforesaid places he comes back to Hajar-e-Aswad again. This is One Full Circuit. Even at this place he must offer Istilam at the Hajar-e-Aswad. In this way he do six more rounds or Tawaf of the Kaaba, to make the total circuits seven in number. In the first three rounds he must also do `Ramal', when he completes seven rounds, it means he has performed One Tawaf. This is known as `Tawaf-e-Qudoom'. After Tawaf he should come to Maqam-e-Ibrahim, here after reciting the verse; he should offer two rakats of Namaz-e-Tawaf. This is Wajib.

In the first rakat of Namaz-e-Tawaf he should recite

and in the second rakat

After the Namaz-e-Tawaf he may recite the following `dua' which is mentioned in the Hadees;

(O Allah! You know my secrets and open apparent things of mine, therefore accept my excuse You know my needs therefore grant my requests (baggings); You know what is in my self, so forgive my sins. O Allah! I beg you of Eiman (asa) pleasure of my heart and the true certainly. You know only that will befall me what You have written (ordained) for me and make my livelihood (subsistence) as a means of contentment for me what You have apportioned

for me O the most merciful of the merciful ones).

Now after Namaz and dua he should go to the Multazim and embrace the Multazim near the Hajar-e-Aswad place. The chest and both the cheeks on the Multazim, spread both his arms raising over the head and testing on the wall or put the right hand at the side of the door of the Kaaba and the left hand stretched towards the Hajar-e-Aswad and recite this dua;

TRANSLATION:-

after embracing Multazim, he should come to well of Zamzam. If it possible, he should draw one bucket of water from the well of Zamzam himself, otherwise he may get the water from some other person and keeping his face towards he should drink Zamzam as much as he can in three breaths, in standing posture. Every fresh drink he should begin with `Bismillah' and finish with `Alhamdo Lillah' keeping has eyes each time on the Kaaba or at least have a glance at it. The remaining water he may pour on his body or wash his hands, face and continue reciting `dua' while engaged in this process. The Holy Prophet (Allah's grace and peace be upon him) has said that `dua' at this time is accepted in the Presence of Almighty Allah. He has also said that the Zamzam is a cure for any ailment when it is sought with due faith in it. The dua prescribed at this moment is this;

(O Allah! I beseech You The Knowledge which is Beneficial, the subsistence which is vast (abundant) and the Deed which is worth acceptance (and reward) and The Cure for all diseases (ailments) or the all embracing due quoted earlier). It is also blissful to look into the Well of Zamzam from above the ground it also removes, removes rancor and hyperisy from the heart.

Now, if he is not tired and willing to engage himself for the Sa'ee literally meaning endeavor or attempt but in the context of Hajj it is a ritual which is undertaken by way of brisk walking or balanced running on the hills of Safa and Marwa. Before proceeding for the Sa'ee he should come to the Hajar-e-Aswad kiss it if he can manage otherwise keeping the face to it he should recite "Allaho Akbar Wa Laila ha Il lul Lah Wal Hamdo Lillah"

and repeating the Durood Sharif he must move to the Hill of Safa passing through the Gate of Safa (while coming from the door of masjid he should first take the left foot out and while using shoes or any footwear) put in the right foot first. This is the procedure to he followed always and at all places while coming out from the masjid, rehearsing the usual due.

Remembering Allah and reciting Durood Sharif he should climb the first stairs and stay thee for a moment and before raising foot for the second stair, he should recite;

TRANSLATION:-

Then turning his face towards Kaba, raising both his hands upto his shoulders and stretching them (hands) apart, he should pause there for such a length of time which wowed take rehearsing 35 verses of the Surah Baqarah, repeating durood, tasbeeh, tahleel (Kalama-e-Tayyebat), he should pray for one's own self, his parents, friends kith and kin and the Ummate Muslimah. This is the place and occasion when prayers are heard and granted by the Divine Grace.

After the Dua he should make niyat (intent) for the Sa'ee. The Niyat for the sa'ee is this:

(O Allah! I intend doing Sa'ee between Safa and Marwah, so make it easy for me and accept it from me).Then coming down from the Safa, he should more towards Marwa reciting verses and Durood and he covers the distance of the first mile, he should start running and continue running a little beyond the second mile, then walk slowly and reciting rites without stopping should go upto Marwa and here climbing the first step signifies going up the Merwa, but he should not recline against the wall (which is the practice of the ignorant people). Here on account of new structures the view of Kaba is not possible, yet the face should he towards Kaba, repeating and reciting rites prayers (dua) Durood Sharif as usual. This completes the first round of the Sa'ee.

From here he should again move to Safa will all the rituals and recitals as in the first instance, when he reaches the mile of Marwa he should start running till he passes the Mile of Safa, he should then slow down and climb the Safa. This completes the second round. Similarly again from Merwa to Safa, this is the fourth round. In this way he should complete the fifth, the sixth and the seventh rounds. This Endeavor (running) is known as Sa'ee, starting from Safa and ending at Marwa. In between tow miles there shall be seven times running.

After the Saee he should stay at Mecca till the 8th of Zil-Hajj and continue reciting `Labbaik' in a simple manner without ISTABA, Ramial or Sa'ee and on completion of every seventh round (of Tawaf) he should two Rakats of Nafil at Maqam-e-Ibrahim on the seventh when the Imam delivers sermon (Khutba) after Zohar he should attend and listen to it. On the eight (8th) after the sun-rise he should move from Makkah to Mina, reciting Labbaik, Durood

dua through out the way. When Mina comes to sight, he should recite

(O Allah! This is Mina so grant me the favor of grace and peace with which You have favored Your Friends. After reaching Mina he should stay here for the night. From this day at Zohar till the morning of 10th he should all the prayers at Mina, alongwith Durood and other rites (Azkaar, Dua etc) At the break if down in

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*: Here also the hands should be kept in the same as they are kept after in the Namaz, that is the palms should be towards the sky, hand outstretched right in front of the breast. Nothing

against this as some persons doing Tawaf are seen doing this.

the 9th, he should offer the Fajar Prayer, busying himself thereafter in Durood etc like the sun shines on the hillock of Shaheer where at he should move to Arafat, reciting once again `Labbaik', Durood other rite on the way. As soon as Jabal-e-Rahmat appears he should increase the recitals (Labbaik, Durood, Dua) because this is the place and occasion of the acceptance of prayers.

On reaching Arafat he must no cause inconvenience to any one and sit at the place which he gets, except that he should sit at a place which is not the passage for others to move along. At noon he should take bath, it is Sunnate Muakkidah. If the bath is not possible, Wazu or ablution will be enough. As soon as the sun declines the Zenith, he must go to Masjid-e-Namrah and after offering sunnat prayer he should listen to the Khutba (Sermon) delivered by the Imam and offer the Zohar prayers behind the Imam. Immediately thereafter the Takbeer for the Asr prayer will be announced which prayer should be offered behind the Imam. There is no question of indulging in personal or other matters in between Zohar and Asr which is the period of intense devotion in hearty recitiors of Durood, dua or other prayers. There is no nafil or sunnat after Asr.

Immediately after the Asr prayers, he must hurry to the place of stay `Mauqif' where it is ordained that the pilgrims should proffer supplication to Allah alongwith Durood, Dua and other rites. On this day, staying at Mauqif and keeping oneself in prayers is the essence and spirit of the Hajj, which should continue after the Asr till sunset. It is also one of the cardinal part (ritual or Ruk'n) of the pilgrimage.

PROBLEM:- The time for Wuqoof is from the decline of the sun on the 9th Zil Hajj till the morning of 10th. If any one makes wuqoof at a time other than this, he will not gain the reward of the Hajj, unless it the wuqoof at other time is on account of difference of moon-sight.

He should go to MUZDALFAH immediately after the sunset in the company of the Imam. If the Imam delays his departures, the pilgrim should not wait for him and reach MUZDALFAH, reciting Labbaik, dua and Durood throughout the journey. If possible, he should with brisk paces. He may also avail any model of conveyance or transport. But he must down the transport as soon as MUZDALFAH comes to sight and cover the remaining distance on foot, Beller still is that he should enter MUZDALFAH after a bath (or Wazu). On entering MUZDALFAH he should recite the dua;

(O Allah! This is (the Place of) Gathering (of Ummah), so I beseech You the Forgiveness and security in the World and the Hereafter).

After reaching here he should a light, a little away from Jabal-e-Quzah (or Wherever inconvient). Here he should offer the combined Prayers of Maghrib and Isha, even if the time of Maghrib prayer has passed; both these prayers shall be offered as regular prayers (not Qaza, but `Ada' or in time) will clear Niyats for both. First the Farz of Maghrib, then immediately after the Farz of Asha, then the sunnat (prayers) of maghrib and Isha, then the wits of Isha.

After these Namaz (prayers) the rest of the night should be spent in Durood, Dua and Zikro Tasbeeh, because this is the most auspicious time and the most auspicious place for the acceptance of prayers in the Divine Presence.

The Morning Prayer (Namaz-e-Fajr_ should be offered at the early hours after the break of down when it is still dark (because the sun-rise is at least and hour later). After the Namaz-e-Fajr there is another Wuqoof preferably on the hills of Mash'aril Haraam it self or wherever the place is available down the skirt of the hill or the valley or any other place at the Muhassar. This wuqoof is similar to the wuqoot at Arafat, keeping oneself in constant recitation of Labbaik, Durood and Dua. The time of this wuqoof is from the break of the morning till is bright after the sun-rise. One who does not come here at this hour, he misses the Wuqoof.

Now when it is still for offering two rakats of namaz, he should go to Mina in the company of the Imam. At this place he should pick up seven small stones of the size of the date-seed, wash them three time and keep them in his pockets. Through out the way he must continue reciting `Labbaik, Durood and*Dua'.

PROBLEM:-At Arfat there is one Azan and two Takbeers of Iqamat (arranging rows people for offering the salat or namaz) for the salats of Zohar and Asr, while at MUZDALFAH there is one Azan and one Takbeer (Iqamat) for Maghrib and Isha.

When he reaches the valley of Muhassar he should pass by very briskly, reciting this dua;

(O Allah! Do not Kill us with Your wrath and do not destroy us by Your affliction and grant us security before this).

When Mina comes to sight, he should recite this dua (which has already been quoted above)

(O Allah! This is Mina so grant me the Favor of Grace and peace

with which You have Favoured Your Friends).

On reaching Mina, before doing anything else, he must first

go to JAMRATUL AQABAH. He should stand at least 5 to 6 feet away

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*: He should also recite this dua;

O Allah! Unto You I and I feel fear of Your Punishment and unto You I come back and I feel fright so accept my sacrifice and magnify my reward and have mercy at my humility and accept my repentance and grant my prayers.

from Jamra in such a way that he is at the central place (or in between) the Makkah Muazzama and the first Nala in the drain pipe and by holding a stone in his fore finger and the thumb and raising his arm high enough so that the while of the arm pit become visible throw the stone (at the Jamra, commonly known as Satan or Shaitan) while reciting the following dua;

(In the Name of Allah, Great is Allah, I strike Shaitan to please Rehman (the Most Beneficent). O Allah! make this as the Hajj-e-Mabroor and the Endeavor of Thankfulness and the Forgiveness of sins).

It is better that the stones strike of 3, 4 feet from the

1Jamrah. If the distance of the fall of the stone is move than this, it is not to be counted. In this way he must throw seven stone pieces, one by one. He should stop reciting `Labbaik' at the strike of the very first stone. When he finishes 2Rami (stoning the satan) he should not stay there any longer. He must return at once, reciting dua and rites.

After the Rami comes the stage of 3Sacrifice (Qurbani). Which he must perform. After this he must pray to Almighty Allah for the acceptances of Hajj by himself and those from all the muslims who have fulfilled the obligations in this behalf.

After the sacrifice, he should sit facing the Qibla (Kaba) and have his entire shaven (known as HALQ) or trim the hair (as he may desire), but shaving the head is more beneficial and blissful. But shaving of head is forbidden (Haram) for the women, they may just have their hair cut short by an inch or two. The cut shaven or trimmed hair should be buried, similarly thing which are usually removed from the person such as nail etc. should also be buried. Here he must take care not to clip the nail or shave the beard or most ache before the Halq (sharing of

head). Otherwise dam will become hinding. (Dam stands for an expiatory sacrifice of an animal for any lapse in the obligatory rites etc). However, there is no expiation or dam for shaving the beard and trimming the mostache after the shaving of head. Rather it mustahab or desirable, yet shaving/shortening of beard should is not he done as a respect for the beard in Islam while shaving the head (HALQ) first the hair on the right side should be cut, reciting "Allaho Akbar, Allaho Akbar Lailaha il lal Laho Wallho

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1Jamrah:In between Makkah and Mina there are three pillars known as Jamrah. The one which is near Mina is called`Jmarah the First (OOLA) the central one is known as Jamra Wasta (center) and the last one which is nearer Makkah is called Jamrat ul Aqabah.

2Rami: The time for Rami is form the 10th morning to the morning of the 11th Zil Hij. However the sunnat is after the sunrise till the Decline (Zawal).

3Sacrifice:This is not the Qurbani which is performed on the occasion of Baqrid. IT is by way of Thanks going on account of Haji. It is compulsory for the rich and Mustahab for the poor.

Akbar, Allaho Akbra,wa lil lahil Hamd.

often times during the Halq and also at the end, while having the head shaver this dua may also be recited,

(All praise is due to Allah on what he guided us and send reward to us and allowed us to fulfill the rites (etc). O Allah! This forehead of mine is in Your Hand, so make all my hairs a Noor (Divine Light) on the Day of Judgement, and remove evils from me and as a reward of it elevate my status in the lofty Paradise. O Allah! bless me in my self and accept (endeavors) of mine.

O Allah! forgive me and those who have shaven their heads and trimmed their hairs, O with Vast Forgiveness).

And pray forgiveness for the entire Ummah. Now all things which were forbidden on account of Ahram, now become permissible except intercourse with wife (and lawful maid servants) to touch or look as them in a luscious manner or their private parts which are still haram or strictly un lawful.

Now after the hair-cut, it is better to reach Makkah on the 10th. For the Faze (obligatory) Tawaf, this Tawaf is the second rukn (ritual Obligation) of the Hajj. This Tawaf will be like the Tawaf of the first occasion, but ow there shall be no ISTABAA. After this two Rakats should be offered. Now the wives become permissible or all the essential processes have been fulfilled, declaring the completion of Hajj. This means that the Two main Arakan (plural of rukn, the essential part of performance) namely Woqoof and Tawaf have been accomplished.

But he has to turn to Mina to spend the 11th and 12th nights, it is sunnat, as it is sunnat to stay here during the 10th night. On the 11th after the Zohar prayer and the Khutba (sermon) of the Imam he should go for Rami. In these days, the Rami should begin with JAMRAH the First which is near the Masjid KHEEF. For this Rami he should come by climbing the mounds at Makkah and facing Qibla he should throw of stones as he has done in the First Rami on the 10th. After the 7th stone he should move a little of the Jumrah and facing Kaba he should raise hands for the prayers (dua) in a manner that the palms remain towards the Qibla and stay there for a time which may be needed for reciting twenty verses of the Holy Quran reciting praise to Allah (Hamd,) Durood and other dua.

Then he should move the central Jumrah or Jumrah Wasta for rami, dua and durood as before. Then finally he should go to the Jumrat ul Aqaba for rami, but he should not stay there, rather return promptly reciting Durood, Dua etc on the way on the 12th. Then on the 12th he should do Rami on the three *Jumrah and start --

*PROBLEM:- For Rami, tees than seven stone pieces in not (P.T.O)

for Makkah to reach there before on the sun set. He may return, if he desires, on the 13th. If he does so he will have to do Rami on that (13th) day after the decline of sun (Zawal-e-Aftab). This is more bliss full. On the last day on the 12th or 13th when he returns from Mina on way to Makkah, he should get down from the carriage/animal at WADI MUHASSAB, which is situated near JANNAT UL MUALLA, (or without alighting) he should stay there for some time and pray for the departed souls. However it is more blissful if he stays here till Isha and offer all the prayers (Salat or Namaz) at He may have short sleep here, where after he should enter Makkah.

From 13th onwards he may at Makkah for as long as he desires, performing Umrah(s) and visiting Holy Places during his stay. When he wishes to leave Makkah he should do the Tawaf-e-Wida (Farewell) without Ramal. Farz Tawaf is also known as Tawaf-e-Ziarat and as well as Tawaf-e-Afazah.

PROBLEM:- The most suitable time for shaving the head or hair cut is the period known as Ayyam-e-Nah (Days of sacrifices) which means 10th, 11th and 12th of Zil Hajj, the most auspicious day is the 10th, if he does not have the hair cut by the 12th, then Dam will become necessary.

This Tawaf-e-Wida is compulsory for those coming from other places. After the Tawaf he should offer two rakat of Nafil, as usual, at Maqame-e-Ibrahim are drink water at the Zamzam well and pour it on his person. Then he should stand at the threshold of the Kaba, kiss it by way of respect and reverence and offer thanks to the Providence for enable him to perform Hajj and pray its acceptance expressing at the same time his desire to enable him to come and perform the pilgrimage again and again. His dua should all inclusive and for all. Or he may recite this prayer;

(The Beggar has come at Your door-steps, he begs Your Blessing and belief-full knowledge of You and entertains hope of Your Mercy (O Allah!)

Then he should come to MULTAZIM and holding the covering (ghilaf) of Kaaba and embracing it he should recite Zikr (remembrance of Allah), Durood and dua as much as he can and before departing he should recite comprehensive dua;

(All Praise id due to Allah Who guided unto this and we were not able to guide ourselves unless Allah guided us. O Allah! grant us --

permissible. If he uses only three stones or does not use any stone at all, a penance by way of Dam will be necessary. If he uses only stones, then for each remains he will have to offer Sadaqah.

PROBLEM:- To pick up stones from near about Jumra, is Makrooh (detestable).

guidance as You have guided us for this and accept it as (endeavor) from us and do not make this as the last promise (to visit) for Your Sacred House (Bait il Haram) and grant me subsistence to return to it (again and again) so long as You are pleased, In the Name of Your Mercy, O the most Merciful of those who show mercy. And all Praise is due for Allah the Lord sustainer of (all) the worlds and Peace and grace of Allah be on Muhammad (peace be upon him) and his kin and his companions).

Then kiss the Hajar-e-Aswad and recite this invocation (dua) with all humility in heart and tears in the eyes;

(O Allah! the Provider of Felicity in His Land, I state witness (or give evidence) of You (Your Favors) and Allah is Sufficient as Witness. I give evidence (stand witness) by (the Faith) that there in no god but Allah and I also give evidence (asa witness) that Muhammad id The Apostle of Allah and I shall repeat and proclaim this evidence in the Presence of Allah the Most Dignified in the Day of Judgment, the Day of greatest mental distraction. O Allah I stand witness in Your (Your Name) on this (matter) and His great Angels state witness by this (truth). And Allah Peace and grace be on our Master and Chief (saiyad) Hazrat Muhammad (peace be upon him) and an progeny and companions all together).

Then retracing steps with and turning back towards Kaaba and should the pricients through the door of Masjid-e-Haram by placing the left foot our and reciting the usual dua is prescribed while leaving the masjid (at any place). It is better to come out through Bab ul Hazawarah (Note: while leaving the bidding farewell (Wide) to Kaaba Sharif on can also walk straight out of the

Masjid but he must bear the pangs of separation in his heart which he can express by turning face to Kaaba again and again which pacing out). Women in an unclean state due to Haiz (menstruation) and Nifas (Bleeding on account of child birth) must not go in, they should wait outside and last eyes of sadness and grief on the Kaaba as expressions of separation.

After coming out on the open he must distribute alms and charity among the beggars and destitutes who beg for help. Now his stay and fulfillment of Hajj obligatours are over. He has now to make preparations for journey to Madena ul Rasool Sallallaho Alaihe Wa Sallam.

Among the details mentioned in connection with the performance of Hajj, some aspects are Farz, and some are Wajib, while some are sunnat. If anything among the Farz is omitted by passed (for any reasons) then the Hajj itself is rendered invalid. If any Wajih is left over, the Hajj as a whole will not be affected but it will he incomplete and the DAM (sacrifice permitance) will become essential and the loss of sunnat will reduce the sawab (award) to some extent.

The following things are Farz (compulsory) in the Hajj.

1. Ahram.
2. Wuqoof-e-Arafah (stay at Arafat). Which (latter) means that in between the time from the decline of the sun in the 9th ZilHaj till the down of 10th, one must stay at the Arafat.
3. Tawaf: Ziarat's greater part or minimum found circuitous (phera) round should be spent in Tawaf.
4. Niyat or intent (details have gone earlier) by words of mouth.
5. Tarteeb (in serial order), performance of different ceremonies itual in the ordained manner. It means the first of all Ahram should be put on as without Ahram no Hajj (or Ummrah) is neither possible nor permissible, then wuqoof at Arafat, then Tawaf-e-Ziarat.
6. To perform all Farz strictly at the prescribed time limit (i.e. wuqoof, between 9th afternoon and 10th before the break down and Tawaf Ziarat after the wuqoof.

7. Place or Site: Wuqoof on the plains of Arafat (or adjourning areas in case of over crowding), Tawaf with the limits of Khana Kaaba.

In Hajj following things are wajib.

1. To put on Ahram form any of the prescribed Meeqats. One should move ahead of Meeqat without Ahram. It is however permissible if any one puts on Ahram before arriving at Meeqat.
2. Sa'ee (running between Safa and Marwa).
3. To begin Sa'ee from Safa.
4. To perform sa'ee on foot.
5. To do Tawaf before proceeding for Sa'ee.
6. If Arafa (staying at Arafat) is done during the day time, then he must stay there till the sun set and come darkness of night becomes visible.
7. It is wajib to begin wuqoof after the decline of sun at any part of the day.
8. To follow Imam on return from Arafat. However if the Imam for reason is late leaving Arafat, the pilgrim can start early.
9. To stay at Muzdalfah and offer Maghrib and Isha combined at Muzdalfah.
10. Rami: To strike Jumrah on 10th, 11th and 12th which means on the 10th only at Jumratul Aqaba and strike stones on all three Jumrah, on 11th and 12th.
11. Rami at Jumrah Aqaba on the first Day (10th) before the hair cut.
12. To do rami on all days at the same time of each day.
13. Hair cut (shaving of head) or shortening the hair on the Days of Nahr.
14. Greats part of the Tawaf-e-Afaza in Days of sacrifice (Ayyam-e-Nahr).
15. Tawaf after the Hateem by the right side, which means that Kaaba should be on left side of the man doing Tawaf.
16. To do Tawaf on foot.
17. While doing Tawaf one should he with wazu or ghus'l (ablution or bath). If he is without wazu or bath, he must start Tawaf afresh.
18. To keep the shame parts of the body hidden while doing Tawaf.
19. To offer two rakats of Namaz after the Tawaf. This is wajib but if not done, Dam will not be necessary, while for other wajib referred to above and those follow, dam is essential if any of these wajibs is omitted.
20. There should order in Rami slaughtering the animal and Halq (head shave) and Tawaf one after the other.
21. TAWAF-E-SADR or the Farewell (Wida) for all those who live beyond the territories of Meeqat.
22. Ladies who are in Menses or in uncleanliness should wait till are purified. However in case of travel by caravan the affected can leave with the Tawaf-e-Wida in that state if the scheduled departure of the caravan is announced.
23. There should be no cohabiting with wife after the Woquf-e-Arafa and before the hair cut, (Note: If during the Tawaf the shame parts become open, the Dam shall become binding.

In addition to these wajibs there are some more wajibs on the omission of which `dam' does not become binding.

These are:

(a) on account of some ailment etc not to have hair shave.

(b) not to delay the Namaze Maghrib till the time of Isha so that there be offered combinedly.

The following are sunnat in Hajj:

1. Tawaf-e-Qudoom (the First Tawaf which a non-resident of Arabia).
2. To begins Tawaf From the Hajar-e-Aswad.
3. To do ramal in Tawafe Qudoom or Tawafe Farz.
4. Sa'ee between the Safa and Marwa.
5. Delivering khutba by the Imam on these dates namely on the 7th in Makkah, on the 9th at Arafat and on the 11th in Mina.
6. To depart from Makkah after Fajr prayer, on the 8th, so that all the five prayers (namaz) could be offered at Mina.
7. To spend the night of 9th at Mina.
8. To proceed from Mina to Arafat after the sunrise
9. To have bath prior to going to Arafat for wuqoof.
10. To stay at Muzdalfa after the return from Arafat.
11. To start from Muzdalfa on way to Mina before the sun-rise.
12. To spend both the night of 10th and 11th at Mina.
13. If one stays at Mina till 13th then he should also stay in Mina in the night past the 12th.
14. To alight or stay at the ABTAH in the valley of Muhassab, even if it be for a short while (There are other aspects of sunnat which we mentioned in the section titled procedure/Method).

Umrah

The simple from of Umrah is to wear Ahram and do Tawaf and Sa'ee and after this have the head shaven and putting off the Ahram. Ahram is the primary condition which can not he set aside or ignored, known as Shart-e-Ada (Binding/Primary condition) and shaving of head, the external or secondary condition.

Umrah is sunnat, not wajib and can be performed many times in the year which means that the whole year is the period of Umrah except on 5 days in the year, 9th Zil Haj. The Day of Arafat (Yaam-e-Arafah), 10th Zil Haj, The Day of sacrifice (Yaam-e-Nah'r) and 11th to 13th Zil Haj known as Ayyam-e-Tashriq which mean on and from 9th to 13th Zil Haj are the five days on which Umrah is not permissible.

In Umrah only Tawaf is Farz (obligatory) while Sa'ee is wajib, as well as Halq or shaving of head and Taqseer (hair cut or trimming). All the conditions of Umrah are the same as those of Hajj, except that for Umrah not time is fixed while in the Haj, all the arkan (prescribed mode) are to be performed strictly according to time schedule. The thing which renders

Umrah as completely wiped off is to have intercourse (with wife) before having completed four rounds of Tawaf.

METHOD OF UMRAH:

Any one who wants to perform only the Umrah, he should put on Ahram from Meeqat or any place before Meeqat.

The Niyat (Intent) of Umrah, he should offer two rakats of Nafil with - the -intent or Niyat of Ahram and recite the dua of Ahram;

(O Allah! I intend (to perform) for Umrah, so make it easy (convenient and practicable) for me and accept this Umrah from me and I wish to observe sanctity of this (Umrah) with all sincerity (and humility) for ALLAH The Almighty and Supreme).

Another prayer is this:

(O Allah! I beseech Your Pleasure and I seek Your Refuge from Your wrath and the Fire (of He'll).

Now he should avoid doing anything which are forbidden for a pilgrim wearing Ahram for the haj. Then he should do the Tawaf, after Tawaf, Sa'ee just in the same way as the pilgrim for Haj does; he should observe the same sanctimonious etiquettes while entering Mecca as are enjoined upon those performing Haj. After having done Tawaf and Sa'ee, he must have hair cut. Thus the Umrah is fulfilled. He can now put off the Ahram. In Umrah, while beginning the Tawaf immediately having kissed the Hajar-e-Aswad, he should cease reciting `Labbaik'.

QURAN AND TAMATT'O

There are three kinds of Haj. One is the Exclusive (with no other intentions) which in Haj terminology is known as IFRA'D while the Haji is called MUFRID. For this Haj, the Niyat after the salam is

(O Allah! I intend (to perform) Haj so make it easy for me and accept it as from me. I have made Niyat of the Haj and have put on the Ahram with it in absolute sincerity and devotion for (the Pleasure of) Allah the Most Elevated.)

The Second kind is having intention (Niyat) solely for the Umrah. After the Niyat he should wear Ahram (for Umrah) and while in Mecca, he should wear Ahram of Haj. This is known as "Tamatt'o" and the Haji is called Motamatt'e. (literal meaning of Tamatt'o is `utilization', gaining benefit or delight and the word Motamatt'e stands for the person who utilizes or gains benefit).

In this (second) time of Haj/Umrah the Niyat after salam is;

(O Allah! I intend doing Umrah, so make it easy for me, I have done the Niyat of Umrah and I have put on the Ahram for it with due solemnity and devotion in the Name of Allah the Most Elevated).

The Third kind of Haj is to make the Niyat of Haj and the Umrah right from the beginning

and at this very spot. This is called "QIRAN" and the Haji is called the "QARAN". In this the Niyat after the salam is ,

(O Allah! I intend (doing/performing) Umrah and the Haj, so make both easy for me and accept both from me, I have made mode Niyat for Umrah and the Haj and put on Ahram for both in due solemnity and sincerity in the Name (and for the sake) of Allah the Most Elevated.)

In both these cases, he must recite Labbaik in (audible) voice.

(Note: Persons who put on Ahram are of four categories. One who wears Ahram only for Haj, which is known as Mufrad-bil-Haj.)

The other is who puts on Ahram only for Umrah, It is know is `Mufrad-ul-Umrah' (exclusive Umrah).

The Third is one who puts on Ahram both for Umrah and the Haj (only one Ahram for both), known as QARIN.

The fourth is he who puts on Ahram with the intention of Umrah and after Umrah makes himself Halal (without Ahram and free of any ritual obligation). But before returning home he puts on Ahram again and performs the Haj, the same year.

THE PROCEDURE FOR QIR'AN

When the pilgrim intends to do QIRAN, he must to proceed in the same way as the Mufrid does. He should make fresh Ablution or have bath and with the Niyat of Ahram, he should offer two Rakats of Nafil and after salaam (end of Nafil) he must niyat for Qiran in this way,

(O Allah! I intend doing Umrah and Hajj (both) so make them easy for me and accept them from me. I am making Niyat for Umrah and Haj and have put on the Ahram for both with due solemnity and sincerity in the Name of Allah the Most Elevated.)

and recite Labbaik with the intention of performing Umrah and Haj, he should recite `Durood' and the `Dua' and begin the practices of Umrah. When he reaches Mecca with the intention of Umrah, he must do Tawaf of Khana-e-Kaba seven times, as it is done by the "Mufrid". He the must go Sa'ee between safa and Marwa. (Note: In the seven rounds of Tawaf, in the first three rounds he must also do the Ramal which is sunnat).

With the completion of Sa'ee the rituals of Umrah are over. But at this stage he should neither put off the Ahram nor have the hair cut. He must prepare himself the obligations of Haj. For this he should begin with the Tawaf-e-Qudoom and also do the sa'ee and do the other practices of the Haj as is done by the MUFRID.

PROBLEM:- If the Qarim does not possess enough money to purchase the animal (in excess of the minimum required in connection with the Haj) nor does have material assets which may fetch him money after sale there of to secure the sacrificial animal, then he must keep fasts for ten days (in lieu of the animal sacrifice) three which should be kept at that place between the first of shawwal and the 9th of Zil Haj after putting on the Ahram, especially on the 7th, 8th and 9th or before this, in any case, preferably he must complete fasting by the 9th. He may choose difference dates to his convenience, it is not obligatory that the three fasts must be kept on consecutive days. The remaining seven fasts can be kept after the

period of Haj is over which means after the 13th Zil Haj. On the 13th or before this is not allowed of these seven fasts he may keep them while there or keep them at home after return form Haj, which is preferable. In any case the night for these fast should be done during the preceding night. Affirmation of Niyat is compulsory.

(Note: The sacrifice which the QARIN does in the 10th is known as Dam-e-Qiran, This sacrifice (Qurbani) is wajib. For the sacrifice the condition for the animal are the same as are prescribed for the sacrificial animals on Eidul Azha. However it is necessary that this Dam-e-Qiran must be done within the limits of Haram, preferable at Mina and after Rami. Doing Qurbani before this will demand `dam" as essential.)

PROBLEM:- If the three fast are not kept before the 9th, the keeping of fast after wards will not be enough Dam, has become essential. He release himself from further compliance he must offer dam after which he will be free. If he can not afford `dam' either he should get his head shaven or hair cut, he can come out of the Ahram. Now two dams have become wajib.

THE PROCEDURE FOR TAMATT'O

He should put on the Ahram from Meeqat or before this place and in reaching Mecca he should have rounds of Tawaf for Umrah (Note: immediately on beginning the Tawaf and kissing the Hajar-e-Aswad, he should stop reciting `Labbaik'). Then he should do Sa'ee and after sa'ee he should have head shave or hair cut (known as Halq and Taqseer respective). Now his Umrah is completed. He should put off the Ahram, but he should stay at Mecca.

Then on 8th he should again put on the Ahram from the Masjid-e-Haram or the Haram Sharif with the Niyat of Haj like the Haji Mufrid (explained above) except the Tawaf-e-Qudoom.

PROBLEM:- When Dam is wajib on him, he should do the Halq or Taqseer on the Day of sacrifice (Yaam-e-Nah'r) after the `Rami'.

PROBLEM:- If he can not afford sacrifice, he should keep fast as is due on the Haji of Qir'an.

PROBLEM:- If the Motamatta (one doing Tamatta) has not brought the animal of sacrifice with him, he will become free after doing the Umrah. And if has brought `Hudi Mut'ah' he shall remain with Ahram so long as does not fulfill all the processes of the Haj.

PROBLEM:- The difference between the person who brings the animal of sacrifice and the one who does not bring the animal is that if he did not bring the animal and puts off Ahram after doing Umrah and again he puts on Ahram for Haj than if there is any Janayat the penalty is like the Mufrid and if the Ahram of Umrah was on, the penalty is like that of the Qarin. And if he has brought the animal, then the penalty in any case is like that of Qarin.

PROBLEM:- If the person doing "Tamatt'o" renders his Haj and Umrah invalid (spoils their sanctity) then he has compensate them by offering (performing) the Qaza (by repeating them) and pay the penalty for by giving dam, but the sacrifice of Tamatt'o is not due against him.

Things which are Haram in Ahram.

(1) Sexual intercourse with a woman (wife) (2) Kissing (3) Touching he body (4) embracing

or hugging her (5) behaving like her (6) describing the woman (wife) in front of other women (to excite passion) (7) obscenity (8) committing act of indecency or sin (9) involving in worldly embroilment (10) hunting in the jungle (11) to point and to some one else at the animal of hunting (12) or suggest this in other way (13) to supply gun, bullet, knife to some one to slaughter the animal (14) to break the eggs of the bird (15) to pluck the quill of the bird (16) to milk the animal (17) to cook the meat (18) or the egg of animal (19) roasting (20) selling (21) purchasing (22) eating (23) clipping of one own nail or of others (24) cutting any hair from head to foot (25) to cover face (26) head with any cloth (Note:covering of face by a woman is permissible, rather it is obligatory to cover the face in the namaz and before any stranger (na'mahrum). However covering face is also haram for a woman, but he should some thing like hand fan on her face before a stranger.) (27) placing the bundle of cloth on the head by men (the woman can) (28) to wear turban (amama) (29) wearing veil (30) hand gloves (31) socks which cover the middle of the sole. If the foot wear (boot/shoe) is not there to the cut the sock wear all these foot - things is not allowed (32) to put on stitched cloth. To use perfume for (33) hair (34) body (35) clothes (36) To wear newly coloured clothes when the smell is coming one due to dampness (37) pure smelling musk, amber, saffron, javitri (mace), clove, cardemoms (Ilaichi, cinnamon (darchini), dry ginger (zan jabeel) (38) To tie any wet smelling thing with any corner of the head cover (dopatta) such as musk, ambar, wasma or mifrtle (mehndi or henna), saffron to wash hair with some highly incensed thing to kill the lice (39) To use hair dye (40) To set the hair with any sticky substance like gum (41) to use olive or til oil even they be non smelling (42) to shave some one's head (even if he be without Ahram (43) to kill lice, throw it or ask some one to do it (44) to wash clothes in order to kill the lice (45) to spread the cloth in the sun (46) to use mercury in the hair. All the things /activities are earned on to kill the lice, or destroy them.

These things are MAKROOH in Ahram.

(1) To remove the dirt from the body (2) to wash the body or hair with the non smelling soap or oil cake (3) Tom comb the hair (4) to scratch (to remove the itch) in such a way which my pull off the hair (5) To put shirt etc on the shoulders (instead of wearing) while moving out (6) To put on the clothes which have been exposed to smelling smoke (dhooni) which still retain the smell (7) to smell the saint or perfume intently even the sweet smelling fruit or leaf is also makrooh such as lemon, orange, mint leaves (podina) (8) to sit in the shop of perfume seller to have the perfume etc intentionally (9) to tie a strap of cloth on the head and (10) on the mouth (11) to put the head or the face in the Ghilafe Kaaba in such a manner that it touches the body which is forbidden in the Shariat (12) To cover the nose or any part of the face with the cloth (13) to eat or drink anything which contain smell of any sort, which has neither been cooked nor washed is remove the smell (14) to wear a cloth which is stitched, darned or has a patching (15) to lie up side down with a pillow over the face (16) to touch the fragrance/smell by hand which does not soil the hand, (when it soils the hand) it becomes haram (prohibited) (17) to put on amulet (Taweez) on the neck or the upper arm, even if it is stitched in a piece of cloth (18) to tie a piece of cloth on any part of the body when it is not necessary due to any excuse or necessity (19) make-up or any kind of adoration (20) to tie a knot in the corner of the head cover (do patta) in such a way the head remains open (otherwise it is haram) (21) to tie both the ends of the tahband (long cloth used to cover the lower half of the body) with a know or make it tight with a piece of rope or Kamar-bund used in shalwar or pajama .

PROBLEM:- Things which are not permissible in Ahram if committed or breached unintentionally would not amount to sinning, but they would entail penalty which has to be paid whether the error is willful or unintentional or forced by some one or it may occur during sleep.

Commission of unlawful acts and the penalty thereunder

PROBLEM:- If any unlawful act is committed without any excuse, they kaffara (penance) will be necessary and he will be deemed a sinner, in which case he must offer repentance (taubah), only paying kaffara is not enough. On any even the compensatory penance is essential whether the commission of unlawful act is intentional or by mistake (unintentional) he is aware of the commitment or he is ignorant, willingly or forced by some one else, while awake or during sleep, under the influence of some intoxicant or in full senses, he has himself committed the fault or at the behest or command of some one else. In any case compensation/penance is obligatory.

Note (Warning): In this context wherever the word DAM (sacrifice of an animal by way of penance/penalty) is used, it stands for a goat or a sheep and the word BADANA is used for a camel or a cow all these animals shall be of the same description and bearing the same conditions as are prescribed for the sacrifice or Qurbani. The word SADAQAH in this context mean half of saa of wheat or one saa of barley or date palm (fruit) or a price thereof.

PROBLEM:- Where there is a command for `Dam' and the fault has been committed under *duress, it is permissible that instead of `Dam' he may offer SADAQAH to six indigent (miskeen) people with a SADAQAH for each or feed six miskeen two times each to their satisfaction or himself keep fast for three days. And for the fault only Sadaqah is demanded and the act has been forced on him he should keep for one day to fulfill requirement of the Sadaqah.

PROBLEM:- Where there is one DAM or one SADAQAH (on Mufrid) on `Qirbani" these are two

PROBLEM:- In the event of sacrifice by way of thanksgiving (Shukrana) he may himself eat it or feed any well to do person (besides Kith and Kin), but in the case of Sadaqah the whole lot should go to the poor and the **indigent.

To use oil or perfume

PROBLEM:- If the perfume is of good quantity with the people declare as such, whether it applied on a small part or a big one, e.g. head, face, thigh, calf, a shin in small or enough quantity,

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*: Under duress force or compulsion mean due to (unbearable) sickness, intense heat or cold, injury, wound, or (incessant) biting of the bee.

**: To give all to Sadaqah to one Miskeen is not correct, the condition is that it should be given to different miskeens preferably of the Haram Sharif.

in either case DAM is essential. However if the perfume is of a small quantity or on a small portion of the limb, in that case only Sadaqah in necessary.

PROBLEM:- The quantum of perfume sprinted on the person or the bed would determine whether dam is necessary or a sadaqah is enough, if the quantity is enough, then Dam and it the quantity is normally small, then sadaqah will next the demand of penance.

PROBLEM:- To small a fruit or a flower does not entail a compensation (kaffara), but it is makrooh for the person who is in Ahram.

PROBLEM:- The perfume was used before wearing Ahram but after the Ahram it spread on other parts, than in this case there is no kaffarah.

PROBLEM:- Using a fragrance collgrium (surma) once or twice would need a sadaqah, more than this, the dam is necessary. The collgrium which has no smell (fragrance) is permissible in the case of a necessity, without necessity or as a fashion it is makrooh.

PROBLEM:- To eat things of natural Smell such as musk, saffron, clove, condomon and in a quantity that it spreads on other parts of the mouth, in this case DAM is essential, otherwise Sadaqah.

PROBLEM:- When any perfume is mixed up with the water, then if the fragrance is dominant or if the water was taken thrice or more times, Dam is obligatory otherwise sadaqah id enough.

PROBLEM:- Those addicted to chew befell leaf (Pan) should avoid using Pan within the Haram, because the leaf is itself smelly and other subsistence such as musk etc more it highly smelling.

PROBLEM:- To take khamira (thick syrup) of Tobacco ordinarily should not be taken because there is smell in it, there is no kaffara, however, if it is taken.

PROBLEM:- Using the oil of Jasmine (roghan-e-chambeli) has the same conditions as are applicable to using fragrance a high smelling saints etc.

PROBLEM:- The oils of `til' (oil of sesamum) or olive belong to categories of fragrance, However if there is no smell in them, then in taking or apply them on wounds a pouring in nostril a ears no sadaqah is called for.

PROBLEM:- Musk Amber, Saffron etc are by themselves things of fragrance, to use them in their natural form would entail kaffarah, even if they are used as medicines.

PROBLEM:- When the musk etc is mixed with other no smelling substances would need examining the quantum of fragrance left in the mixture. On that rests the question of penance or otherwise in this case.

PROBLEM:- Using of perfumes is an offense, it is thus necessary to remove the perfume from the person and the clothes. If after kaffarah it is not removed, then Dam will become compulsory.

To use stitched clothes:

If the Mohrim (the man with Ahram) uses a stitched continuously for four pahars or twelve hours (a pahar normally stands for three hours), then Dam is wajib, and if less than their a sadaqah will suffree. If he sues the stitched clothes continuous for a number of days even then the Dam will be wajib provided this continuous usage in for the same way which with some excuse or without excuse and if one day it is on account of some excuse (sickness) and next day without excuse a just the reverse, then two times kaffara will be wajib.

PROBLEM:- If the man suffers from intermittent fever, He puts the dress on the day of fever

and puts at off the next day, the third day he again puts on the dress, now till such time the fever does not subside the fault of shall be deemed only one.

PROBLEM:- If he puts on the stitched clothes and paid the penalty but does not remove the stitched cloth, then again the kaffara becomes due. Similarly, if he does not remove the stitched clothes while putting on the Ahram, then this becomes faults.

PROBLEM:- If one mohrim (one who wear Ahram) clothes another mohrim with stitched clothes or a clothes having some kind of fragrance then the fault shall be on the mohrim who put on forbidden cloth and not on the man who makes him wear the faulty clothes.

PROBLEM:- If the man or the woman one fourth of the tikli (a kind of ornament) or whole, puts beside his mouth or if the man covers the entire head or only one fourth of it and keeps in thus then this hiding of tikli a head is a fault requiring Dam and hiding less than this then sadaqah to due or he hides less than one fourth past for nearly twelve hours, then sadaqah is due for less than this there is no kaffara, but it is a sins.

PROBLEM:- If the Mohrim (man in Ahram) puts a bundle of cloths on his head, then kafara is due. But if he puts the bundle bag of corn, a pluck of wood or some metal vessel, there is no kaffara in the latter case. And he covers his head will wet clay, then there is kaffara .

PROBLEM:- To cover the ears and the adjoining area in not to be penalized, similarly there is no harm in putting the hand over the nose. If there is a cloth in the hand and in this condition if the hand is put on the nose, here also there is no kaffara but it is makrooh and an act of sin.

PROBLEM:- To put on the clothes means wearing them in the habitual way, each piece at its proper place like Qameez, Shalwar etc. If some one simply puts on the normal clothes, e.g. Shirt at the foot or Shalwar for Qameez, then there in no kaffara in doing so.

PROBLEM:- to cover the entire neck and one whole armpit demands dam and in less than this, there is sadaqah is the compensation. Same applies in part below abdomen. If both the arm pits are covered, the penalty is one dam for both together.

PROBLEM:- To remove by any means one fourth of hair of head or beard a move, calls for a dam.

PROBLEM:- To shave/cut the moustache full a less the atonement sadaqah.

PROBLEM:- While cooking bread (etc) if some hairs get burn, sadaqah is the compensation, similarly while making ablution or in scratching some hair fall of sadaqah should be offered. Some say that if two or three hairs fall down then for each hair on fist full of grain, one piece of bread or one dry date is the sadaqah.

PROBLEM:- If some hairs falls without touching by hand or the hairs of the whole head fall away, there is no penalty for this no sadaqah or dam.

PROBLEM:- If the woman cuts her one third hair of head or the entire head trims with scissors, she must offer dam and for less there is sadaqah.

Clipping of nail:

If a person clip the five nails of a hand or foot or all the twenty nails at one time, then dam should be given. If he does not clip all the five nails, then for each nail sadaqah, similarly for each hand and foot only four nails are clipped, then the total number of sadaqah required will be 4 by 4=16 sadaqahs. But if the total cost of all these sadaqah becomes equal to one dam at slightly less. If the five nails of one hand or one foot are clipped in one sitting, and all the five nails of the other hand or foot are clipped in another sitting, the two dams for each sitting have to be given and if he clips nails of each hand and foot in four different sitting, then four dams shall be necessary.

Kissing and embarrassing:

To indulge in kissing and embarrassing and touching a woman body under sexual impulse will demand one dam, even when there is no discharge and such an act takes place without sexual impulse, then there is penalty. These act may take place either with a or a man, for both the command (of Staual) is the same.

PROBLEM:- If these acts by the man also excite the passion of the woman, then she too will have to give the dam.

PROBLEM:- To look at the private part of a woman is nothing even if he gets discharge, even to look at her shame repeatedly, even then there is no penalty.

PROBLEM:- If there is a discharge while doing masturbation (hand practice) then a dam is called for, otherwise the act is makrooh, for night discharge of wet dream there is no penalty.

PROBLEM:- If a person commits sexual intercourse before the wuqoof, then the whole Haj will become lost and destroyed. For this act he must offer dam as in the Haj. He must perform Qaza Haj in the very next year. If the woman also was in Ahram, then she too should do like these.

PROBLEM:- If he commits intercourse after the Wuqoof-e-Arafah, the Haj in that case will not be invalid, but if he has done it before the head shave (Halq) and Tawaf, then he must offer BADANAH, if he does this after the head shave then he should offer dam, here also BADANAH is preferable. If he commits this after the Halq (shaving of head) and Tawaf, then there is penance.

PROBLEM:- If he commits intercourse before the initial four compulsory rounds of Tawaf, then Umrah will be lost. He should offer dam and the Qaza of Umrah. If he does intercourse after the four rounds of Tawaf, then Umrah will remain valid, but he should offer dam.

PROBLEM:- Sexual intercourse does not render Ahram invalid, and whatever is unlawful for a Mohrim (man in Ahram) is also unlawful even now.

LAPSES (ERRORS) IN TAWAF.

The four compulsory Farz-e-Tawaf, if a person does this number or more (Tawaf) while in a state of sexual uncleanliness or menstruation (menses) or Nifa's (unclean state after child birth), then BADANAH is wajib and on getting clean (after bath) he or she must repeat the Farz-e-Tawaf. If he/she fulfills at the required rituals (of Haj) by the 12th of Zilhaj, then BADANAH shall be withdrawn but Dam will remain binding.

PROBLEM:- If he does Farz-e-Tawaf without wazu (ablution), then dam is compulsory and to

repeat it is Musthab and on the Tawaf being repeated, even by the 12th, the dam will lapse.

PROBLEM:- If some one does three rounds of Tawaf or less without wazu or bath, then for every round of Tawaf a sadaqah should be given.

PROBLEM:- When Tawaf-e-Farz, the whole or greater part of it is done without lawful excuse on the riding animal, or in some lap or by dragging (legs having become motionless or in pain) or in a state of bare headness (woman) appearing any part the shame parts (man), or did the tawaf in the reverse order or passed through inside the heteem during tawaf or did it after the 12th zilhaj then in all these cases `Dam' id essential. If he repeats the tawaf correctly then Dam shall not remain binding. If the man returns home (native country) without repeating /regularizing the error, then he must the price of a goat should be remitted to Mecca so that the Dam may be given, there is no need for him to go back to Mecca for the same.

PROBLEM:- If the man returns home after doing four rounds of Farz-e-Tawaf, or in other wards 3 or 2 or 1 round was left, then in that even dam will be wajib. If he himself does not come back and sends the money then the dam will not he compulsory.

PROBLEM:- Instead of the Farz-e-Tawaf, some other tawaf in full or in part is done without purity (wazu or bath), then if he has done the full or greater part of tawaf in a state of sexual uncleanliness then dam should be given and if did the tawaf without the wazu (when only wazu was necessary) then sadaqah should be given. If he does three or less rounds of tawaf in a condition of janabat (sexual impurity) then for each round a sadaqah is necessary, if he must repeat every affected part, in that event the kaffarah shall stand with dam.

PROBLEM:- If he does the entire Farz-e-Tawaf or a greater part of it (without any lawful reason) in the carrier animal or in some one's lap or by crawling (instead of walking on foot in the natural way) or the violation of commands for covering the forbidden part (limbs) or passed from within the Hateem or performed the Tawaf after the 12th Zil haj, then in all these cases a dam is necessary, but if he repeats the Tawaf in full and in correct manner then the dam shall stand withdrawn. However if he returns home without rectifying the lapses by repeating the tawaf, then he should send the cost price of a goat (in money) as recompense so that the animal may be sacrificed in the Haram. In that case he will not have to return (to Mecca) for repeating and rectifying the lapses in Farz Tawaf.

PROBLEM:- If he goes away only after doing the tawaf leaving 3 or 2 or 1 round uncompleted, then Dam becomes wajib (essential). It is enough if he only sends the money for the animal (of dam) which means that his personal visit again is not binding.

PROBLEM:- If he performs any tawaf (other then the Farz Tawaf) in full or a greater part of it in a state of sexual impurity, then a dam is necessary or he does so without wazu (ablution) then only sadaqah is enough. Or if he does 3 rounds or less in a state of sexual impurity, then for each round, one sadaqah is be given. If he stays in Mecca Moazzama, he should repeat the Tawaf in full and correctly, in that event no compensation (Kaffara) will be necessary.

PROBLEM:- If he fails to do the full Tawaf-e-Rukhsal (widai or farewell Tawaf) or a greater part of it, then dam is essential or if he leaves less than four rounds, then for each round, a sadaqah will have to be given. If he leaves Tawaf-e-Qudoom all together, then it will be reckoned as act of sin (no kaffara can redeem it). If he leaves even one round of Tawaf-e-Umrah, then dam is necessary. If he does not do the Tawaf-e-Umrah or a greater part of it,

then he must do the Tawaf-e-Umrah again, kaffara is not necessary.

PROBLEM:- If the QARIN (a class of Hajis already defined earlier) performs the Tawaf-e-Qudoom and Tawaf-e-Umrah, both without wazu, he should repeat the Tawaf-e-Umrah before the 10th of Zil Haj. If he does not do so till the break of the morning of the 10th Zil Haj, he will have to give dam and in Tawaf-e-Farz, he will have to perform RAMAL and SA'EE.

PROBLEM:- In unclean/impure (Najis) clothes, the Tawaf is makrooh, no kaffara is to be paid.

ERRORS IN SA'EE.

If the man leaves four or more rounds of Sa'ee or he completes the sa'ee on any carrier, without lawful excuse, he must give dam to make the Haj complete. If he leaves less than four rounds of sa'ee, he should offer sadaqah for each round not undertaken. If he repeats the sa'ee in full correctly, then the dam and the sadaqah shall be forgiven. This is good for all acts of wajib which are not fulfilled under lawful excuses.

PROBLEM:- If he does the sa'ee before the Tawaf and does not repeat and rectify Tawaf and Sa'ee in a fresh attempt, then Dam is essential.

PROBLEM:- If he does Tawaf and Sa'ee in a state of sexual impurity or without wazu, in that event doing Sa'ee again is not necessary.

PROBLEM:- For Sa'ee it is not necessary that it should done only when it is the time of Haj or that it should be done only with Ahram. Sa'ee can be done at any time it is will be lawful.

ERRORS IN WUQOOF.

If any one leaving Arafat before the sun-set, will have to give dam, but if he returns to Arafat when the sun has not gone down, the dam is stands withdrawn. And if he returns to Arafat after the sun set, the kaffara of dam will stand. He should also leave Arafat, willingly or under circumstances beyond control, for example, the camel on whose back he was sitting while in Wuqoof runs away from Arafat. In either case, dam is necessary.

WOQOOF AT MUZDALFAH.

If he does not do wuqoof at the MUZDALFA on the morning of 10th of Zil Haj, without any lawful excuse, he should give dam. However the man of weak health or a woman can leave wuqoof for fear of rush. In that case no penalty is to be imposed.

ERROR IN RAMI.

(A) In the event of the following short comings in connection with `Rami', Dam is to be given.

i) No Rami is done on any day.

ii) On some day no Rami is done or done only partially leaving the great part.

iii) On the 10th zilhaj he struck only 3 stone and left the remaining ones.

iv) On the 11th he struck 10 stones leaving the rest.

(B) In the following cases when only partial `Rami' is done for each stone piece not struck, there is sadaqah, subject to the condition that if the total amount equals to the price of a `dam' the balance in the amount of sadaqah or sadaqahs should be left.

In this sub-claim B' the errors in Rami are as under:

(a) On any day, he leaves less than half the number prescribed for Rami, for example on the 10th he strikes 4 stones pieces and leave 3.

(b) He strikes only 11 stones (in all) and leaves 10 stones (in all).

(c) He completes the remainder of less than half for some day or another day.

In the aforesaid circumstances (as already mentioned) for each stone piece not struck, a sadaqah is due, provided the total amount of sadaqahs does not exceed the cost of a dam.

ERROR IN SACRIFICE (Qaurbani) and HALQ (shaving of head).

If the QARIN and MOTAMMATTA (classes of pilgrims performing Haj) offer sacrifice before Rami, he must offer Dam.

PROBLEM:- When he does not have a head-shave (halq) in the limits of Haram, but he does so outside its limits or the does so after the 12th zilhaj or before the Rami, or the QARIN and MOTAMATTA do so before the sacrifice, on all these cases, dam has to be given.

PROBLEM:- The Halq of Umrah should also be in the limits of Haram. If this Halq also is done outside the limits of Haram. In both these cases dam is necessary, but there is time limit fixed for this.

PROBLEM:- If the pilgrim performing Haj has his head shave (halq) outside the Haram, he will have to offer two dam, one for having the halq outside the Haram and the other for doing this after the 12th Zilhaj.

Hunting of Animal

Hunting a land *animal or pointing it out for the purpose of hunting or using any other method for this, all are haram involving kaffarah in each case, even if he be in a die condition when the haram becomes halal to the extent of saving life. The kaffarah is the price of the animal hunted as given out by two different men of justice (Adil) of the place. If the price of the animal is not available at that place, then the price as ascer

*: Whether this animal is Halal in Haram, in either case the kaffarah is essential. However in respect to haram animal, the kafara is not more then a goat, even if its price be more than that of the goat. For example if the hunter kills an elephant, the wajib kaffara is only a goat.

tained at the nearest place in the vicinity. The price given out by an independent just man will also be acceptable.

PROBLEM:- By the animal of land (jungle) is meant the animal which is born in dry tract of land, even it remains in the sea/water. As such, hunting of sea-gull and the duck belonging to jungle, will necessitate kaffarah.

Similarly, by the sea or the water animal is mean the animal born in water, although at times it remains in the land.

Domestic animals such as cow, buffalo goats etc if they remain in the jungle and are seared away by the presence/sight of human beings, can not be called as animals of jungle or wild animals. Similarly if some wild animal is tamed and reared by man, it shall remain wild animal. Therefore if some one hunts a tamid deer, kaffarah will have to be paid.

PROBLEM:- If a wild animal becomes the property of or local resident or be himself catches it or gets it caught by some one else or purchased it on payment its hunting will involve kaffarah.

PROBLEM:- Hunting of a sea-animal is permissible although it at times comes and stays on land.

PROBLEM:- To offer the kaffarah for hunting the animal if he wants he may purchase goat, sheep, lamb etc, equal to the cost of the hunted animal and offer them for sacrifice in the Haram and distribute the mat among the beggars or if he desires to he may purchase grain with that price and distribute and it among the poor, keeping in mind that the quantity of grains for each recipient should be equal to the Sadaqah-e-Fitr he may keep one day's fast and if a portion of the grain which is less than the quantity of sadaqah-e-fitr, may be given to any poor man or keep a days fast in place of the grain, even if the cost of the remaining grant falls short of a sadaqah-e-fitr.

PROBLEM:- The animal of the kaffara should be slaughtered within the Haram, any sacrifice outside the Haram will nit fulfill the requirement of the kaffarah.

PROBLEM:- If the person offering kaffara eats the meat of the slaughtered animal, he must pay the price for that meat as Ransom.

PROBLEM:- If the kaffara animal is stolen or he offer the live animal by way of kaffara as a sadaqah, then it will not be accepted and the requirements of the kaffarah will not be

fulfilled. However, if the most of the slaughtered animal is stolen, the kaffarah will be deemed to be fulfilled.

PROBLEM:- If the kaffarah is wounded (seriously) but is does not die or any limb of it is cut or the hair/quail is plucked, then the less so occurring in the animal should be compensated as kaffarah equal to the cost of the loss in the animal. However, if the animal dies an account the injury, then the full cost of the animal should be paid by way of wajib kaffarah.

PROBLEM:- If the Mohrim (the pilgrim wearing Ahram) catches a wild animal (from a jungle) it should be released and kept at a place where it may take refuge or shelter. If he releasing the animal any where in the city where it is likely to be caught again, then he shall have to pay the penalty.

PROBLEM:- If two or more Muhrims jointly hunt the animal then each one of them will have offer kaffarah in full.

PROBLEM:- The locust is a land creature, killing it will necessitate kaffarah which may be only a date.

PROBLEM:- If a non muhrim (person not wearing Ahram) hunts the animal the Muhrim can eat the meat provided the latter (Muhrim) neither asked the hunter, nor indicated or helped in any way in connect with the hunting. If is also necessary that the animal should be slaughtered outside the Haram.

PROBLEM:- If a person enter the Haram with a wild animal, the commend is that it should be led off, even if it may be lodged in a cage.

PROBLEM:- The man riding a horse, or he was dragging it (while on foot) will have to pay the ransom if the animal hurts some other animal or tramples over or bites another animal (killing the latter.

PROBLEM:- If he drives away some animal which on the run (an account of fear) jumps over falls into the will, or it stumbles against some hard stone etc and dies. In all the cases he will have to pay ransom.

PROBLEM:- There is NO RANSOM in killing crows, kites wolf, scorpion, snake, rats (of any kind), biting dog, lice, mosquito, tortoise, , ,biting ant, fly, ,and all fox, ,etc. when they attack, and all the wild animal which first attack (and then kill), there is no kaffarah/ ransom for killing these creatures. Even otherwise there is no kaffarah for killing (capturing) any of the sea creatures.

TO CUT THE TREES ETC OF THE HARAM.

There is a penalty for cutting any uncultivated growth like mushroom green grass, herbs, plant tree, which no one has cultivated, sown seeds and which is still fresh (not dried and withered), not uprooted or broken (trunk, stems etc). The penalty is that the money equal to the affected growth should be spent in purchasing the food grains for distribution among the poor and the indigents each one's share being one sadaqah-e-fitr. If the amount is not sufficient, then the sadaqah to a single person will be permissible. It is also possible that the whole amount be given to that person to whom sadaqah is intended. It is also permissible that if the money in hand to buy a sacrificing animal, it should be done like wise, slaughtering the animal in the Haram. However he can not keep fast as a penance for his

guilt.

PROBLEM:- If a person uproots the plant/tree and pays the amount for it, Yet he can not use the amount for any purpose of his own, If he has sold the plant/tree the money thus obtained should be given away as sadaqah.

PROBLEM:- A dried and withered plant/tree can be uprooted and made use of (without any penance etc).

PROBLEM:- Leaves of a tree can be plucked provided no harm/loss is caused to the tree. Likewise plucking the fruits of a fruit-producing tree is permissible provided prior sanction/permission has been secured or the price of the fruit has been given to the owner.

PROBLEM:- If some person jointly cut down a tree, then the penalty shall be only one which should equally levied among the group irrespective of the fact whether some of them are Muhrim (i.e. in Ahram), some Gair Muhrim (not in Ahram) or if all are Muhrim.

PROBLEM:- To make Miswak (stem of a plaque used as tooth brush) of any tree in the Haram is not permissible.

PROBLEM:- There is no penalty if some tree/plant is uprooted while walking or by men or animal or pegging the tents, etc.

PROBLEM:- Grazing the grass by the animal as a necessity is permissible (and there is no penalty for it). But the penalty for cutting or uprooting any growth (for purposes other than grazing) the animal is the same as already mentioned in respect of trees/plant within the limits of the Haram. However, there is no restriction is plucking/uprooting the IZFAR Grass or any other withered grass which can be used for any purpose, grass fields of these particular verities can be uprooted and there is no penalty for the same.

TO KILL THE LICE.

If a person kill lice on his clothes and throws, it the kaffara in this respect is to give a piece of bread for each lice. If the lice are two or three then the kaffara is a fistful grain. For more than this, a sadaqah is to be given.

PROBLEM:- If he washes his head or clothes or spread the clothes in the sun with intentions to kill the lice, the kaffarah is the same as is for killing the lice.

PROBLEM:- The clothes were wet and the same were spread to dry, them out in the sun due to which the lice were killed although the intention was not to kill them. In the circumstances no kaffarah is necessary.

To Pass by the MEEQAT without Ahram.

If a man comes from outside the place of Meeqat and enters Mecca Moazzamah without Ahram, Even if he has no intention to perform Haj or Umrah, the Haj or Umrah becomes wajib on him. Now, he should go back to Meeqat and put on the Ahram. If he does not go to Meeqat, but puts on the Ahram in Mecca, dam becomes wajib.

PROBLEM:- If a person passes through Meeqat without Ahram, then puts on the Ahram of

Umrah, then the performs Haj or Qiran, Dam becomes essential. And if he first puts on the Ahram of Haj, then puts on the Ahram of Umrah while in the Haram.

To put on another Ahram when already in Ahram.

If a persons puts on the Ahram of Haj, then again on the day or night of Arafah, he puts on the Ahram of another Haj after the head-shave (Halq), he should as usual remain in Ahram and use the second Ahram for the next year no dam is wajib and if does not have head-shave (Halq), dam becomes wajib.

PROBLEM:- He had completed all the rites (practical) performances and only Halq was remaining, to he puts on another Ahram for Umrah. In that event `dam' becomes wajib and he also becomes sinful (guilty of breach of shariat command).

PROBLEM:- It is forbidden for the person doing Haj to put on Ahram from the 10th till the 13th of Zil Haj. If he has put on the Ahram he must break (put off) the second Ahram and offer the Qaza and the `Dam'. If he fulfill the Qaza, the Dam still remains due.

THE MOHSAR.

By MOHSAR is meant the person who puts on the Ahram for Haj or Umrah, but on account of certain reasons he could not fulfill his desire.

The reasons or circumstances which may prevent the fulfillment of desire for Haj or Umrah are as under:

(1) The enemy (2) Wild beast (3) Illness or disease which is likely to aggravate if he attempts journey which involves physical movements. (4) Breaking of hands/feet due to accidents/fall etc. (5) Imprisonment. (6) The death of husband or Mahram with whom she had to go on Haj. (7) Iddat (period of mourning by the widow (8) The loss of money (by way of travel expenses) or the animal of transport (9) The husband does not consent for Hajj-e-Nafil intended by the wife.

COMMANDS FOR THE `MOHSAR'

The main command for the Mohsar is that he can not put off the Ahram unless he after reaching Mecca he fulfill the requirement of Tawaf, Sa'ee and the Halq (head shave). If he desire to

put off Ahram before this, he must send the sacrifice (animal) to the Haram, when the sacrifice is done, the Ahram can be put off or he should the amount of sacrifice to the Haram so that the animal may be purchased and slaughtered *there. It is also necessary that he must express his desire, through the messenger whom he authorize to carry the money, that the animal should be sacrificed on so and so date and at so and so time, so that he may put off the Ahram after the passage of the time. If there is any delay, for some reason, in the sacrifice of which he comes to know later, by which time he has already put off the Ahram. In that event he must offer dam as he has come out of Ahram before the animal was slaughtered. It is however, not necessary for the Mohsar to have shaven his head (Halq) as a condition for putting off Ahram. It is better if he does so.

PROBLEM:- If the Mohsar is Mufrid (which means that he has put on the Ahram only for the Haj or the Umrah alone), he should send one animal for sacrifice. If he is Qarin he should send two animals for sacrifice. For this purpose, Haram is the only condition. No sacrifice out sided Haram is permissible there is however no time limit for the **sacrifice.

PROBLEM:- If the Qarin sent the money for 2 sacrifice (animals), but these only one animal could be purchased with that amount and accordingly the animal was slaughtered. This is not enough.

PROBLEM:- The Qarin performed Tawaf for Umrah but before the Wuqoof (of Arafat), he became `Mohsar', he should now only one sacrifice and in place of the Haj (which he missed) he should perform on Haj and one Umrah. The other Umrah is not obligatory for him.

PROBLEM:- If the thing which prevented him to perform Haj is passed and is no more compulsive and if there is still enough time for the Haj and the sacrifice, then he should go. If per chance he does not get Haj, he should perform Umrah and come out of the Ahram. It is also better to have the sacrifice, if he gets it, for which he had earlier sent the money.

PROBLEM:- Then can be no Ahsar after the Wuqoof-e-Arafah if he is still at Mecca. But if it is beyond his capacity to perform both Tawaf and Wuqoof, in that case he will be a Mohsar. If he can do only one thing and not the both, he will not Mohsar.

PROBLEM:- When the Mohsar sends the sacrifice and comes out of Ahram. Now he want to offer Qaza then if the Ahram was only for Haj, then as Qaza he must perform one Haj and one Umrah. If the Ahram was for the Qiran, then he must do one Haj and two Umrahs, he is also authorized to offer Qaza for the Qiran, then one Umrah or perform all the three separately. If the Ahram was for only Umrah, then for Qaza for one Umrah will be necessary.

*: Here keeping fast in place of sacrifice is not allowed, even it does not the means to offer sacrifice.

**: For the sacrifice of `Ahsar', 10th, 11th and 12th is not compulsory,, It can be done before or after these dates.

THE LOSS OR NON-ATTAINMENT OF HAJI.

One whose Haj is post, meaning thereby that does not get or the wuqoof-e-Arafat, what he should no now is that he should get his head shaven or trimming (cut short) his hair (Halq) and come out of Ahram. He can perform the Haj the next year no dam is wajib (essential) on him.

PROBLEM:- If Qarin loses his Haj, he must perform Sa'ee and Tawaf for the Umrah, again he should do Tawaf and Sa'ee as also have the Halq. In this way the dam of Qiran will be waived. He should stop reciting Labbaik immediately beginning the Tawaf on which he has already come out of Ahram. He should perform Haj the next year, There is no Qaza for Umrah which he has already performed.

PROBLEM:- The man in the class of Tomatta (Motamatta definition given earlier) brings the animal for sacrifice but the state of Tamatta becomes void (un effective) for some reason.

He may do what he likes with the animal.

PROBLEM:- Umrah can not be lost as it be performed any time in the life. However, Umrah is makrooh during five days, namely from the 9th Zilhaj to 13th Zilhaj.

PROBLEM:- Tawaf is not binding on the person whose Haj is lost (Unaccomplished).

PROBLEM:- If a man loses his Haj and after doing sa'ee he does not put off the Ahram with the intention of doing the Haj the next year with the same Ahram. If he does so, his Haj will not be in order.

HAJJ-E-BADAL (HAJ BY PROXY).

There are certain conditions for Hajj-e-Badal.

(1) Hajj should be Farz (obligatory) on the man who undertakes Hajj-e-Badal on behalf of some one else (literally speaking as Hajj by Proxy), but the term Hajj-e-Badal is most common and is understood by all as such.

Explanation: If the Hajj was not Farz and he got the Hajj-e-Badal, on his behalf, then in this case the Farz-e-Hajj can not be said to he performed as Farz Hajj. If subsequently the Hajj becomes binding (Farz) on him, the Hajj already performed by proxy will not accepted or Farz haj. If he is (still) unable to perform Farz Haj, he may have, once move Haj-e-Badal on his behalf. But if he is capable to perform Haj himself he should do so.

(2) The man in whose behalf Haj-e-Badal is done should he incapable or helpless. If he is capable, he should himself perform the Haj, even he becomes incapable at a later date. But if he was capable and in a position to perform Haj before (when he should have performed Haj). Now in his state of helplessness, he can have Haj-e-Badal.

(3) The state or condition or circumstances of being in capable or help is likely to continue till his death.

Explanation: IF the cause of helplessness is removed afterwards and he becomes fit and likely to remain so to perform Haj, he should do so the previous Hajje Badal is annulled. Again the Haj-e-Badal should be for reasons which are not likely to be come normal. If however as a matter of chance (good luck) the disease or ailment becomes cured, the Haj-e-Badal already performed will be valid.

(4) The man on whose behalf Haj is under keen should have himself expressed his desire. Without his permission, Haj-e-Badal is not acceptable. However if the lawful in heritor (waris) acts performs the Haj on behalf of the , then no permission or authority is necessary.

(5) The money (for all due expenses) shall be provided by the man on whose behalf Haj is to undertaken .

(6) Only that man can perform Haj-e-Badal who has been expressly asked to do so. Haj-e-Badal by any other man is not acceptable. (However if the man nominated by the deceased refuses to go or himself does, then the Haj by another man will be permissible.

(7) The Haj-e-Badal should be performed by means of transport and not foot and the cost

thereof shall be paid by man sending another man, part of journey where necessary convenience can be covered on foot, but the major part should be spent on any means of transport.

(8) The man going on Haj-e-Badal should proceed form the nature place of the sender

(9) He should put in the Ahram form MEEQAT if the donor has asked him.

(10) The Haj should be undertaken and performed with the Niyat (intent) of the sender. It is better that with the words of Labbaik he should letter the name of the man. (If he forgets the name he should declare at heart that he is doing the Haj on behalf of the man who has sent him.

All the a fore said conditions relate to the Haj and must therefore he faithfully adhered to. In case of Hajj-e-Nafil, none is binding.

PROBLEM:- Two men nominated the same man for Haj on their behalf, but he took the names of both the senders while reciting Labbaik. In this case, the Haj from neither of the two will be valid.

PROBLEM:- It is essential that the man in whom the Hajje Farz or Qaza or sunnat is due and he fears the last day of his life may come any movement (for known and unknown reasons) to make a wasiyat in this behalf.

PROBLEM:- The man on whom Haj is Farz and dies without performing the Haj nor does he make any wasiyat in this conditions, he will be deemed guilty according to the confesses of the authorities. If his successor or inheritor desires to arrange Hajj-e-Badal on behalf of the deceased. Allah in His Mercy will accept this. If however the deceased had made a wasiyat, then the Haj should be arranged with the one third of the assets left behind by the deceased, even if he had imposed any such conditions and simply stated in is wasiyat that the Haj may be arranged on his behalf or in his name.

PROBLEM:- If the one third of the assets is so much that the Haj can be undertaken from his nature place, it should be arranged likewise. Otherwise keeping the money in view some one from beyond the Meeqat should be selected form any place so that the expenses like by to he incurred may be that. If the one third of the assets can not be enough to send any man form any place beyond the Meeqat, then in that event the wasiyat becomes in operative or unpracticable.

PROBLEM:- Some one who leaves home on journey for Haj and if he dies in route to Mecca or he dies in Mecca Before Wuqoof-e-Arafah. If the Haj had become Farz in the same year, then wasiyat (for Hajj-e-Badal) is not wajib (essential). If he dies after the wuqoof, the Haj is fulfilled. If the Tawaf-e-Farz remains and he makes a wasiyat for completing this Haj, then some one should do sacrifice of BADABAH on his behalf.

PROBLEM:- However it is advisable that in the above event some such person should be sent/deputed who is himself Hujjat-ul-Islam or in other words, he has performed his own Farz Haj. If some one who has not performed Haj, the Hajje Badal will be valid. If however the man so selected has not performed his own Haj which is wajib on him, then in such a case the Haj will be Makrooh-e-Tahrimi.

SOME DETAILS OF "HADEE".

Hadee is that animal which is taken to Haram for sacrifice. They are of three kinds (1)SHAAT, which stands for goat, sheep and lamb. (2) BAQAR, or cow and buffalo. (3) Camel. The lowest among the "Hadee" is goat, If some one makes a mannat (an avowal to be fulfilled on achieving the objective) with no specific class of animal, the sacrifice of a goat will be enough.

PROBLEM:- There is no difference between the he or she animal for the purpose of sacrifice. The command applier to both .

PROBLEM:- The conditions for the Hadee animals are the same as are laid down for other sacrificed animals. This means that the minimum age of a camel is five years, cow and buffalo two years, and goat not less than one year, while the sheep or lamb should not be less than 6 month old if it appears as if of one year (in physical). In the Hadee sacrifice of a cow/buffalo/camel seven persons can share the sacrifice just as in the case of normal animals of sacrifice.

PROBLEM:- If the Hadee animal pertains to Qiran or Tamatto, it is better if some meat is taken (eaten) by the man himself, likewise there is no objection if some meat of Hadeel is eaten while it is a Nafil sacrifice and it has reached the Haram. If the animal has not reached the Haram, then the owner can not partake of meat, it is the right of the poor and the indigent. The meat of the Hadee animal which he is permitted to eat, can also be offered to rich and well to do persons. The animal of which flesh/meat is permitted to partake can not receive any benefit form its skin.

PROBLEM:- The sacrifice of Qiran and Tamatto can not be made before the 10th of Hilhaj. And if it is done after 10th Zilhaj it will be valid, but 10th is better. It is essential that the animal should be in the Haram, Mina is not obligatory. However if it is done on the 10th, then to do so in Mina is sunnat, and after the 10th it is sunnat if the sacrifice take in Mecca. The slaughter of the Badanah animal of Mannat is not obligatory in the haram as a condition. when in the mannat no such condition was imposed before hand.

PROBLEM:- It is preferable that the meat of the Hadee (animal) is distributed among the poor and needy of the Haram. The of the camel should be given away in the charity. Nothing should be given to the butcher except by way good will gesture.

PROBLEM:- It is not permissible to ride or load on hadee animal unless it is absolutely necessary. In the later case the deficiency suffered by the animal in any way should be made good through charity to the poor.

PROBLEM:- It is not permissible to milk a hadee animal and if under some compulsion she is milked then the some (milk) should be given away or charity, and if the milk is kept, then its price should be given over to some needy person.

PROBLEM:- If the Hadee animal gives birth to a young one, then either it should be given as charity or it should be slaughtered along with the animal. Or if he sells the young one or kills it, then its price should be given away as charity. It will be permissible if with the price so received another animal of sacrifice is purchased.

PROBLEM:- If some one slaughter the animal of other person by mistake while the latter also slaughter the animal of that person, then the sacrifice, of the' both the persons will be acceptable.

PROBLEM:- If some animal meant for sacrifice in the Haram is already to die on the way, then should be slaughtered and the rope etc on the animal should be stained with it blood together with the hump (or side way) so that some illegible person (such as rich and well to do) may not eat its flesh/meat. If the animal was by way of Nafil, then it is not obligatory to purchase another animal in its place. If it was wajib, then another wajib animal is necessary. If he suffer form some defect which does permit the rightful sacrifice, then he may what he likes with it, but he should purchase another animal if it is wajib.

PROBLEM:- If the animal has reached the Haram and is about to die, then it should be slaughtered and given over as charity among the poor, but he should not eat of it, even if it is Nafil. If the animal suffer from some minor thing an is still fit for sacrifice, it should be sacrificed and he can also eat (as a token of blessing).

The Dignity of Madina Shareef

THE HOLY PROPHET HAZRAT MUHAMMAD MUSTAFA (Sallalaho Alaihe Wa Sallam) has said that one who desires that he should die in Madina must always endeavor that his last breath comes in Madina, I shall supplicate for him (on the Day of Judgement). He has also said that any one who gives trouble to the people of Madina, Almighty Allah will put him in trouble, and Allah the Almighty, angels and all the people will curse him, and all his prayers and deeds will go in waste. The Holy Prophet (Allah's grace and peace be upon him) has also said that the man who deceives the people of Madina, he will be reduced and dissolved (by way of emaciation) as salt is dissolved in water. His personality shall lose all integrity, worth etc. He has also said that the angels keep vigilance on all the pathways to Madina and the Dajjal and the plague (the must accursed disease) shall ever enter the Holy city of Madina. The Holy Prophet (Allah's grace and peace be upon him) has prayed to Allah the Almighty that the blessing and prosperity of Madina may increase more than two fold to those of Makkah.

Respectful Presence and Homage in the Most Sacred

Darbar of the Holy Prophet
(Allah's Peace and Grace be upon him.)

The Blessings of the visit and the loss of beneficence for negligent by pass of Madina. It is said in the Holy Quran,

(TRANSLATION:- When people wrong themselves and (O Prophet) they come to you to seek forgiveness from Allah and you also pray for their forgiveness, they will Allah as the Acceptor of repentance and the Most Merciful.)

The Holy Prophet (Allah's peace and grace be upon him) has also said,"Any one who visit (for homage and salutation) My Grace, his supplication become, wajib (essential) on me". He has also said that any one who performs Haj and pays homage to my grave (i.e. after my death), it is as if he paid visit to me in my life-time. He has also said that the man who performs Haj and does not pay homage (Ziarat) to me, he oppressed me.

PROBLEM:- The visit and the homage to sacred grave of the Holy Prophet (Allah's grace and peace be upon him) has the blessings of a wajib.

PROBLEM:- Some people of perverted mentality try to disarrayed simple hearted persons from paying visit to sacred Mazar of the Holy Prophet (Allah's grace and peace be upon him) by false frights on the way to Madina. Such threats and warnings should be discarded and spurned in the due measure. The fact is that there is no place under the sky which is more blessed and spiritually prosperous than the Madina Sharif.

ETIQUETTES OF ZIARAT.

(1) After entering the limits of Madina Sharif he must make an exclusive and most devoted Niyat of getting into the presence of Holy Shrine. The Niyat must be most submissive and attentive to only one object and that is to present oneself as a down cast slave before his most revered and honored master discarding every thing else from the mind and the heart.

(2) If it is the Farz Haj for which he has proceeded to the Holy Land, then he should first perform the Haj and thereafter go Madina Tayyeba. If however, Madina Tayyeba comes on his way to Makkah then it would be an act of distinct misfortune and exhibition of extreme hard heatedness to by pass Madina. On the other hand, he must avail of this opportunity of offering Durood-o-Salaam in the presence of the Holy Prophet (Allah's peace and grace be upon him) and make this visit as a source of success and acceptance of Haj. If it is a Haj-e-Nafil than it permissible that he should perform the Haj and having thus achieved the blessings of the Haj, he may visit Madina Tayyeba. The other way is also is not without blessing if he first pays homage and respectful Ziarat to the Holy Prophet (Allah's grace and peace be upon him) and then perform the Haj with greater serenity and purity of heart and mind as a reward of paying humbled attendant at Madina Munawwara before proceeding to Haj. He may do as the thinks best according his Niyat as it is the which determines the quality and sincerity of any deed. It is also said that one gets whatever is his Niyat.

(3) Throughout the way he must be more and more engrossed in reciting Durood-o-Salaam increasing the speed and repetitive offering of the Durood and verses of eulogy in the praise and excellence of the Holy Prophet Hazrat Muhammad Mustafa (Sallallaho Aliahe Wa Sallam).

(4) As the Haram-e-Madina comes nearer humility and selflessness demands that puts off the foot wear and walks bare footed to the Holy Shrine. When the Holy Qabba comes in sight the volume and intensity of Durood-o-Salaam must be at it highest and sincerest.

(5) While entering the skirt of the Most sacred city on earth Madina Munawwarah one should be inextricably engrossed in the contemplation and reflection of the Most August Personality of the Holy Prophet Hazrat Muhammad Mustafa `Sallallaho Alaihe wa Sallam. Entering the city gate, put the right foot first and recite these verses,

(TRANSLATION:- I begin in the name of Allah, whatever Almighty desired, there is no Power ety) with the entrance of Truth and make me exit with the Exit of Truth. O Allah! open for me upon him and peace) what You granted Your Friends and deliver me from the Fire (of He'll), Forgive me and have Mercy on me O the One to Whom begins for Well being are addressed.

(6) Before entering the Holy Masjid (Nabvi), one must make himself relieved of all small necessities which are likely to detract the attention and devotion a later stage of engrossment. Wazu and miswak (still better is to have a bath) must be gone through, put on clean (preferable white dress (new one is all the more suitable for the occasion with added application of perfume corryleum.

(7) After thus having prompted oneself (with nothing external reminding itself as wanting), he must the enter the Musjid-e-Nabvi with utmost humility and devotion attention to the One who is the Mercy of the world and the Benefactor of all mankind the Most Beloved Friend of Allah Hazrat Muhammad Mustafa (Sallallaho Alaihe wa Sallam). With eyes down cast and heart filled with reflection on one's deeds, it is most likely that tears with roll by and if one's hard heartedness checks the flow of tears, sorrowful endeavors must be inwardly to melt the stony heart, as the tears remorse true obeisance and utmost humility and utter selflessness move the Throne of Almighty Allah and with the affection and endearment of the greatest sympathizer and benefactor of the down trodden humanity under the canopy of the sky.

(8) He must visit all the doors with Durood o Salam on the lips and in the heart while

entering every door, with Bismallah as if seeking permission to enter with the eight foot as the first step.

(9) At that most auspicious moment every Musalman knows (should know) what deep reverence and respect is needed with the heart, eyes, ears, tongue, hand and foot all working in perfect unison and free from all external instructions. One should not divert his attention towards the arts and designs on the structural plane of observation.

(10) If some comes in front with whom there is other ward intimacy of conversation, but here the occasion if quite different. Except for formal salutation precious time should not he lost in talks etc.

(11) Never never should a word in harsh or loud voice be uttered within the limits of the Masjid-e-Nabvi.

(12) It must be borne in mind with the deepest of Faith and Belief that the Huzur Nabi Karim Sallallaho Alaihe wa Sallam is still alive with the same true, real, wordly and physical qualities which he possessed when he loved in this universe. His death in this world, as indeed the deaths of all apostles of Allah was nothing but momentary disappearance from the sight of the world, and that too to testify the Divine Truth that every living being has to taste of death and when that appointed moment arrives and passes they resume their life in the different sphere and in the different world which invisible from our human faculties, but they retain all their qualities, in a grander and more prefined refined form. Imam Muhammad Ibne Haaj say in his book" Mudkhal", Imam Ahmad Qistalami in his "Mawa'hib Ladunniyah" and other in their books are of the same view viz,

(TRANSLATION:- There is no difference in the death and life of Hazrat Sallallaho Aliahe wa Sallam, in respect of his observation of his Ummah, he is aware with their condition their intentions, their determinations and their hearts (contents). All these are so manifest before that no covering can hide them.)

Speaking about the visitors paying homage (with durood-o-salam) Imam Mohaqqiq Ibnul Munsik in his "Mutawassit" and Ali Qari Maki in his interpretation thereof have said,

(TRANSLATION:- Surely the Holy Prophet (Allah's grace and peace be upon him) is fully aware of your presence, your standing and your salam, rather he is aware of all your activities and conditions, and moving from one place to another and staying (at a certain place).

(13) After entering the Holy Masjid-e-Nabvi if it is the time of congregation of the Farz Salat is taking or has already taken place, they join the Jama'at, this will be, in itself inclusive of the Nafil Salat of Tahiyat-ul-Masjid. If the time permit and it is not makrooh time for offering Nafil prayers then two rakats of Thanks giving for the blessing of being admitted in the presence of the august and most honored personality of the Holy Prophet (Allah's peace and grace be upon him) may be offered. The place for offering Thanksgiving (Shukrana) prayers should be as close the Mehrab of the Holy Masjid as possible.

(14) Now after this, one should proceed with respectful steps and eyes lowered in reverence and utmost humility to the eternal resting place (Mazar-e-Mubarak) of Holy Prophet (Allah's peace and grace be upon him) from the eastern side so that you may reflecting visible that his Merciful Benevolent glance is towards you. This is the most opportune and blessed moment of your life which words and gestures in our deficient sensibility can not comprehend.

(15) If you are fortunate to have the Divine Blessing, in those auspicious moments you may place yourself at a distance of about a yard with the back to Qibla and face to the Mazar-e-Mubarak and hand locked as in namaz (Salat). Spent some moments in this position, inwardly repeating and rehearsing the Durood-o-Salam, with the lips and tongue motionless and soundless.

(16) In these auspicious moments when emotions and sentiments are almost our flowing are should not be tempted, though reverentrally, to kiss or touch the golden *** of the Mazar Aqdas. If should be kept in mind at every moment of one's being fortunate enough to have been blessed with the Divine Favour of presenting himself at such most honored and dignified places in the Holy Lands of Makkah and Madina in a broad perspective and most especially at the most sacred and auspicious place in the proximity of the Holy Shrine at Madina Munawwarah.

(17) Keeping the eyes humbly lowered in front of the Holy and Mazar-e-Aqdas one should offer Durood-o-Salam in a modest tone by reciting,

(TRANSLATION:- Peace be on you, O Holy Prophet! and the Mercy and Blessing of Allah. Peace be on You O The Messenger of Allah. Peace be on You O the Best of The Creatures of Allah. Peace be on You O The *** of the sinners, Peace be on You and on Your Kin and on Your companions and the Ummah all together.)

(18) As long as tongue, heart, mind can endure continue reciting Durood-o-Salam, praying for forgiveness and prosperity of all concerned in the world and the Hereafter, with particular beggings for the **** by the Holy Prophet (Allah's peace and grace be on him) beseeching,

(19) Then convey the salam on behalf of the persons who have specially requested you, this is an obligatory permitted and commanded by the Shariat.

(20) Then moving a little backward on your right hand or the west side keeping your face at the visage of Hazrat Abu Bakr Siddique (may Allah be pleased with him) offer the salutations in these words,

(TRANSLATION:- Peace be on You O the vice regent of the Apostle of Allah; Peace be on You O the Minister of the Apostle of Allah; Peace be on You O the companion of the Apostle of Allah in the Cave and the Mercy and the Blessings of Allah).

(21) Then moving back in the same way, and keeping your face towards the Caliph Hazrat Umar (may Allah be please with him) offer your salutations thus,

(TRANSLATION:- Peace be on You, O the Commander of the faithful; Peace be on you O, is The Accomplishes of the Number of *Forty. Peace be on you the Honor of Islam and all the Muslims and the Mercy and Blessing of Allah.)

(22) Then return a little to the west in between the Holy Graves of Hazrat Abu Bak'r and Hazrat Umar (may Allah be pleased with them) and offer the salutation;

(TRANSLATION:- Peace be on you both the vice regents of the Apostle of Allah, Peace be on you both O the Ministers of the Apostle of Allah; Peace be on you both O who are having (eternal) rest at the sides of the Apostle of Allah and the Mercy and Blessing of Allah. I beseech you to **** for us before the Apostle of Allah, Allah's peace and grace on him and

you and the Blessing and Peace).

(23) All these places of salutations are the venues for the acceptance of prayers (dua) in the presence of Almighty Allah and it should be the endeavour of every fortunate pilgrims to these places to offer commulative and all embracing prayers for the well being and prosperity of all concerned. The best offering's are the presentation of Durood-o-Salam. In addition he may recite,

(TRANSLATION:- O Allah! I make you witness and Your Apostle and Abu Bakr and Umar and Your Angels who descend on this Shrine and who stay here. I make them all witness and give evidence that there is no god but You, You are Alone and there no companion to You and Muhammad Sallallaho Alaihe Wa Sallam Your Abd and Your Apostle. O Allah! I confess sins and acts of evil, Forgive me and have Favour on me as You did to Your Friends. Indeed You are does of Beneficence and the merciful Forgiven of sins. O our Lord! Grant us well being in the world and (comforts) in the Hereafter and save us from the Fire (of the He'll).

(24) Then he offer prayers near the Holy Pulpit.

(25) Her Thereafter he should offer two rakat's of Nafil in the "Plant bed of the** Paradise" (Jannat Ki Kiyari).

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*: Hazrat Umar was the fortieth person to accept Islam.

**:The space between the Holy Pulpit (Mimbar Sharif) and Holy Apartment of the Holy Prophet (Allah's peace and grace be on him) or Hujrah Sharif was declared as "Jannat Ki Kiyari" by him.

(26) Even otherwise he should offer prayer at every pillar of the Holy Masjid (Masid-e-Nabvi). All these places have their own blessing.

(27) So long as one stays in Madina Munawwarah, he should not allow any single breath go waste. Every available opportunity must be used for Durood-o-Salam and prayers for all.

(28) While entering the Masjid-e-Nabvi a Niyat of Eitekaf for a stay in the Holy place should he made that he will not come out of the masjid unless some permissible excuse occurs. In faith this Niyat of Eitekaf should be made while going into any masjid, reminding that unless the who process of prayer, worship is completed he will not neither come out nor indulge in any un necessary talk/work with any one so long he stays in the masjid.

(29) It will be quite a good fortune if one gets the opportunity of staying in Madina Tayyeba in the Holy month of Ramzan, especially during the summer, the Holy Prophet (Allah's peace and grace be him) has promised **** for a keeping fast in a hot season in the holy city of Madina and staying there for this purpose.

(30) Here every good deed is rewarded upto fifty thousand times more then at any place. Therefore the endeavour should be to spend as much time in worship, recitation of the Holy Quran, Durood Sharif etc, as is possible. Besides sadaqah and charity should also be given more in Madina Munawwarah especially among the needy and deserving.

(31) At least one full recital of the Holy Quran (all 30 Parts) should be completed during the stay in the Masjid-e-Nabvi as well as in the Hateem-e-Kaaba.

(32) To have a look (with a spirit of dignified inspiration and reverence) is in itself an act of virtue and piety, so is the case with the Holy Quran. Therefore it should be repeated as often as in possible, reciting Durood-o-Salam on each occasion.

(33) After all the Five Salat (Namaz) or at at least twice daily in the morning and every present yourself at the specified spots to offer salam in the presence of (Huzur) of the Holy Prophet, (Allah's grace and peace be upon him).

(34) In the city or outside wherever the Tomb of the Mazar-e-Muqaddas comes to sight stay for a while facing the site and offer Durood-o-salam. To pass by the site without praying homage is an act of grave impropriety and disrespect.

(35) To abstain from the Jannat of any Farz Name is by itself undesirable and a sign of indifference to this part of worship (which promotes feeling of solidarity among fellow attendants and other besides), but to do so in the Masjide Nabvi, intentionally and frequently shows the weakness of Eiman and disregard for the holy Traditions (Ahadees) in this respect. The reward for the observance of this level (Namaz with Jamat in the Masjid-e-Nabvi) is known to Allah alone. But the Holy Prophet (Allah's peace and grace be upon him) has said "For every one who does not a single Namaz with Jama'at in My Masjid will be granted deliverance from the Fire of He'll (in the Hereafter) and acts of duplicity and hypocrisy (in this world).

(36) One must endeavour to offer every prayer (Namaz) within the area of the Masjid-e-Awwal which a space of about 100 by 100 in length and breadth in the life of the Holy Prophet (Allah's grace and peace be upon him. This has now been extended many times due to the expansion of Masjid-e-Nabvi from time to time thereafter. The whole Masjid constitutes a single unit and every spot is equally holy and sacred, but still the said spot has its spiritual and reverential significance.

(37) Never keep your back at the Mazar-e-Sharif, even while offering prayers (Salat) care should be taken to avoid the back being at the site of the Mazar-e-Aqdas.

(38) It is not desirable to have a customary Tawaf of the Roza-e-Anwar, nor prostrating nor bending one's back equal to that of rukn. The real faith and reverence lies not in the external display of respect but in faithful obedience and humble devotion to the Holy Prophet Sallallaho Alaihe Wa Sallam.

(39) The ZIARAT OF JANNAT UL BAQEE is sunnat. After the Ziarat of the Shrine of the Holy Prophet (Allah's peace and grace be upon him), a visit to the Jannatul Baqee (graveyard) is also essential a especially on Fridays, as a mark of respect to the departed revered souls. In this famous and sacred Grave Yard are buried nearly ten thousand companions of the' Holy Prophet (Allah's grace and peace be upon him), besides those pious personages known as Tabe-een (those who followed or came after the Holy Prophet (Allah's grace and peace be upon him) Taba Tabe-een (who followed the T'abe-een), holy saints, scholars and virtuous persons who are all countless in numbers. When a person enters this grave yard, be should a Niyat to pray for all departed person age buried there, saluting them thus,

(Peace be on you (all) dwelling the homes of the community of Believers.)

(You are our predecessors and if Allah The Excelled wills we shall meet you. O Allah! Forgive all the Dwellers of Baqee. O Allah! Forgive us and them.) He may recite some more rites and `dua' if he likes,

(TRANSLATION:- O Allah! Forgive us and our parents and our teachers and our brothers and our sisters and our children and companions and our friends and him who ha right on us and him who made will for us and all the Momin men and women and all the Muslim men and women.(Amin)

He then should visit the graves of the well known personages. Among all the Dwellers of the Baqee the most dignified is Amirul Momineen Hazrat Usman (may Allah be pleased with him.) He should visit his grave and offer salutation

(TRANSLATION:- Peace be on you O Amirul Momineen, commander of the Faithful. Peace be on you, O The Third of the Righteous Caliphs, Peace be on you O the honored with two Migrations, Peace be on you O the provider of help with the wealth and the commodities, Peace be on you and May Allah reward you on behalf of his Apostle and on behalf of all Musalmans, May Allah be pleased with you and with the companions all together.

In this Graveyard are the mazars of Hazrat Ibrahim the son of the Holy Prophet (peace be upon him) and the Mazars of Ummul Momineen Hazrat Khadija and other consorts of the Holy Prophet (May the peace and grace of Allah be on him), other grand personages Hazrat Hamza, Hazrat Abbas, Hazrat Abdullah Bin Mas'ood, Hazrat Imam Hasan and Hazrat Imam Hussain, Hazrat Imam Malik and others of the companions, their followers and other Imam's of the Deen. He should visit Mazars of all these righteous revered personages offer salutations to them and recite Fateha.

(40) He should visit Quba and offer two rakats in the Masjid-e-*Quba.

(41) He should offer homage to the Martyrs of the Battle of O'had. It is reported in the Hadees that in the beginning of every year, the Holy Prophet (may Allah's peace and grace be on him) used to visit the mazars of the Martyrs of O'had and prayed for them; peace be on you with the reward of (your) patience and the well being in Hereafter; He should visit the Mountain of O'had. The Holy Prophet (may Allah's peace and grace be on him) held O'had very dear and used to say we love O'had also loves us.

The Holy Prophet (may Allah's peace and grace be on him) has said that "When you go to ohad, eat something of its trees, even if it be the thorns of `babool'. It is better that one should go to O'had on Thursday in the morning and the first thing he should do is to visit the Mazar of Sayed-ush-Shuhada (The Leader of all the Martyrs) and offer salutations. According to other reports the mazars of Hazrat Abdullah Bin Jahas and Mus'ab Bin Umair are also here. He should pay homage to them; proceeding further be would reach Quba safiyah (who was the maternal aunt of the Holy Prophet [may Allah's peace and grace be on him]). This is the last spot of visit on the Mountain of O'had.

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*: It is said in Tirmizi that a Salat in the Masjid of Quba is equal to the Two Umrahs. He used to visit Quba every week and spoke highly by it.

Nikah

NIKAH in a sense is the permission under Divine command for the continuance of human race on earth so that the affairs of the world may be conducted in a systematically planned manner, which is in essence the purpose of creation. The urge between the opposite sexes for a communim is in born in any living creature among the human beings as well as the animals. But the expression of this natural urge, for very special reason, among the human beings has to be ordained and controlled in such a way that distinction between man and animal may be will defined so that any trespass of the laws promulgated in this behalf may be at once detected and put right either through persuasion or by imposition of penalty through the agency of religion at any time of human civilize down the age.

Islam being the most accomplished and final institution to safeguard the well being of mankind in both the worlds under Divine command contained in and promulgated through the Holy Quran, the progress and well being of humanity at large has taken utmost care to preserve and promote the sanctity of human sensibility in private and public sectors. It is not an exaggeration that the Quranic injunctions enlarged and supplemented by Prophetic interpretation by way of Ahadees are the best, most modern and most appropriate to conduct and guide all human inspiration in all walks of life. For our understanding and practical application of Quranic laws and the Ahadees we shall confine in this section our main attention as far or the requirements of marriage and Nikah are concerned.

Almighty Allah has permitted union of man and woman and the Holy Prophet (Allah's peace and grace be upon him) has encouraged such a meeting within the defined and well guarded limits. The initial or the very first stage of entering into the life of one another between man and woman is the NIKAH which in the modern terminology is the social contract of entering in to one another life as husband and wife (which words come into existence only after consenting and signing the agreement in a pronounced public assemblage, and under very specific provisos which call for abiding adherence without any let up or willful negligence.

The Holy Prophet (may Allah's grace and peace be upon him) has said addressing the youths, `any one of you who has means to Nikah (marriage contract) should do so as Nikah prevents illicit incursions of heart and eyes and those of you who lack resources for Nikah should keep fast as chicks passion and sensual imbalance. He has also said that one who desire's to meet Allah in a state of purity and cleanliness, he should marry a *** woman. He has said the person who holds dear my way of life, he should follow my sunnat and my sunnat is Nikah. HE has said `the best asset in the world is the virtuous woman'. He further said `one who possesses means (financial resources) to marry but does not marry, he does not belong to us.

PROBLEM:- Nikah means that bind or agreement which makes sexual intercourse and other affairs of life with the woman concerned lawful and permissible.

PROBLEM:- The man should be of balanced sexual temperament (not amounting to animality) but not impotent and if he has means to provide `meher' maintenance of life necessities then for him the Nikah is sunnat-e-Muakkadah (stressed as binding) and to avoid or refrain from marrying is tantamount to committing a sin. If the intent of marriage is to protect one self form Haram (i.e. adultery etc) to follow the sunnat and have children, then the marriage so contracted would also fetch blissful award. But if the intent of matrimonial engagement is largely to satisfy the sexual impulse and sensual desires, then

no sawab will accrue out of this marriage.

PROBLEM:- The sexual urge is dominant and it is feared that if in the absence of Nikah he might commit adultery it is essential (wajib) for him to marry, especially when he can afford financial obligation. Similarly if he can not check himself from looking at other women (with passionate desires) otherwise he would have to resort to hand activity, then in such a condition Nikah is wajib.

PROBLEM:- If it is definite that without marriage he will be obliged to seek unlawful means (adultery) to then it is obligatory for him to get married (without loss of time and under excuses of one kind or another).

PROBLEM:- If there is a fear that in the event of not getting married he will not be able to fulfill financial and other domestic obligations, then in such a condition the Nikah will be makrooh, But if he is sure and definite about these habities, then Nikah will be Haram (in consequence) although the Nikal will be permissible under Shariat's law.

PROBLEM:- To remain faithfully engaged to discharge the obligation related to Nikal, maintenance of domestic necessities together with the breeding and training of children is better and more righteous than being busy in offering Nafil prayers.

PROBLEM:- The following things are mustahab is connection with the Nikah.

1. It should be open and announced in presence of people.
2. To recite a Khutbah (it may be any khutba, but it is better to recite the khutba which is mentioned in the Hadees).
3. It may be held in the Masjid.
4. It should be held on a Friday.
5. It should be solemnized in the presence of witnesses known for their integrity and justness.
6. The woman should be less in age, family line wealth and reputation than those accredited to man but of a higher consideration is respect of beauty, character, moral behavior and virtuous. (It is reported in the Hadees that if a man marries of woman on account of her public status, Allah will bring disgrace for him, and once who marries a woman because of her wealth, Allah will increase his helplessness and dependence, and if a man marries a woman for her being of a higher family stock, his mean ness and worthlessness shall become known very soon. But if a man marries in order to protect himself from indecent gases at other woman and honour the blood relations, Allah will bless the woman and the man with prosperity and righteousness.

Problem:- The Eejab and Qubool are integral parts of the Nikah which means that the woman and the man in their respective turns to ascertain their willingness to enter in to one another's matrimonial relations as husband and wife as the case may be.

PROBLEM:- The tense sequence of EEJAB and QUBOOL should be in the past tense (confirming that the contract has already been entered to and agreed upon mutually. Whatever the grammatical or linguistic formulae may be applied it should not leave any doubt in the mind of about the certainly or definiteness about the issue which is Nikah and its acceptance. That is the reason why the Eejab (proposal) and Qubool (acceptance of the Nikah by both the spousul parties can not be declared or pronounced in the future. Therefore unless the person say "I have accepted the spouse (bride/bridegroom) the nikah will not be valid. To say I will accept (the proposal), will not a confirmation and as such

invalid.

PROBLEM:- Two distinct words are enough to confirm a marriage deal viz (1)"Nikah" or the proposal or declaring the intention of marriage and (2) TAZAWWUZ (literally meaning becoming or taking a spouse) which confirms that the man and the woman mentioned in the Nikah have become husband and wife for all practical purposes. Other words indicate the confirmation of the marriage contract are indicative nature and can be used if the intentions are clear and beyond doubt or merely conditional.

PROBLEM:- In the Nikah are not at all objectionable.

PROBLEM:- There are certain conditions in the Nikah to make it lawful in the domain of shariat.

1. To be of sound senses (Aqil). If a lunatic or minor boy solemnizes the Nikah, it will not be valid or binding.
2. Attainment of maturity (Baligh). If an immature (na'ba'ligh) boy performs the Nikah, it will be valid sulyect to the permission of the vali (guardian or one given authority by the parent as their spokesman and representative).
3. Presence of Witnesses. The process of Eejab and Qubool must be conducted in the presence of witnesses who should normally be Two men or One man and two women. The witnesses should be Free (not slave), of sound sense (Aqil) and mature (having attained legal age of majority) who should hear every word of the Nikah (lunatics immature in age or a slave can not stand as witnesses). If the man and the woman solemnizing Nikah are both Musalman, the witnesses should also be Musalman. If a musalamn man marries a woman of another religion having a revealed Book, then a Zimmi Kafir(the non muslim under the protection of as Islamic government, paying Jizya) can also stand as a witness.

PROBLEM:- Only women or eunuchs can not stand as witnesses, unless a man accompanies them as a witness.

PROBLEM:- If the witnesses of the Nikah are transgressors (morally and religiously) a blind or involved in guilty of false accusation against chaste innocent women, the Nikah so performed will be valid, but if any of the marrying couple raises any objection subsequently, then the Nikah will not stand as proven on their evidence.

PROBLEM:- The presence of the witness at the time of Eejab-o-Qubool (Nikah) is essential. Therefore if the Nikah is conducted on the authority of Ijazat (permission by the parents/ guardian /vali) and the witnesses were present at the time of Eejab-o-Qubool but were not present when the permission was given, then the Nikah so conducted will be valid, but in the event of reverse condition, the Nikah will not be in order.

PROBLEM:- Witnesses do not mean only the two persons chosen from the gathering, but all those present there morally are also the witnesses except those whose evidence is not reliable for any of the reasons mentioned above.

PROBLEM:- Witnesses are not essential when taking consent of the woman but if they are present at the time of Nikah, the Nikah will be valid. The need of presence of witnesses while taking consent by the woman is necessary because if at any time the woman denies having given the consent, the evidence of the witnesses will become necessary.

PROBLEM:- The practice at some places in appointing a representative on behalf of the

(real) Vakil to obtain the consent of the woman is nor correct as a Vakil (representative of the parent of the bride) can not appoint a representative (Vakil) on his own behalf. In such a case the Nikah becomes useless. The correct procedure would be that the Qazi (who conducts the Nihak), should himself become the representative vakil of the Vali of the bride and personally obtain her consent and do the needful afterwards.

PROBLEM:- Before obtaining consent of the bride the identity of both the persons (man and woman) should be established, for the convenience of the witnesses only then the Nikah will be valid. If the woman is present in the gathering, the Qazi can obtain her consents even by a nod (when in evil). The other way is that the parentage of the woman be announced to establish her identity, similarly the woman should also be informed of the identity of her would be husband, while obtaining her consent.

4. PROBLEM:- The Eejab-o-Qubool, by both consenting persons should be done in the same sitting (When arrangements for the same have been made). Any breach or rupture in the conduct of the proceedings which do not allow consent of both man and the woman and making it known to the witnesses and all those present and witnessing the ceremony, will make the will not be correct. Any venue of obtaining silmalneous consent, should be arranged.
5. PROBLEM:- The terms of Eejab-o-Qubool should be accepted in full an in every respect especially the amount of Meher etc. Imposing new conditions and accepting some part only will make the Nikah unlawful.
6. If the girl its has reached puberty (Baligh) then her willingness / consent is essential. Her vali (guardian) has no right to arrange marriage against her will.
7. There should be no oblique or clear reference to some future conditions to finalize the marriage.
8. The Nikah and the expression there of must be in relation to the person as a whole with whom marriage is sought and not any part of the body which stand for itself. The poetic or allegorical expression should be avoided as they often lead to misgivings and misinterpretations.

THE MAHRAMAT
(The Women with whom marriages Haram.)

There are some specific categories with whom marriage is forbidden as haram. There are certain reasons behind declaring these women as haram.

There are nine (9) such kinds of women, seven of whom are haram on account of direct blood relations namely

1. Mother
2. Daughter
3. Sister
4. Maternal aunt
5. Paternal aunt
6. Brother's daughter's (niece)
7. Sister's daughter (niece).

By MOTHER is meant the woman is whose lineage she herself belongs, directly or indirectly. There fore grand paternal mother (dadi) and grand maternal mother (nani) and all upper

relations in this lineage are haram, because all of these are included n the rank of mother of parents, grand father and grand mother and great great mother of father and mother.

By DAUGHTER meant all those women who are her descendants (off spring). Therefore grand daughter and great grand daughter (on paternal or maternal side) however downward they may go in family dynasty are all haram.

PROBLEM:- Sister, she may be real (from the same parent) or unreal (from mixed parentage) are haram.

PROBLEM:- The paternal grand mother (dadi) and maternal grand mother (Nani) are in the ranks of ones owns grand mother and as such the maternal mother of the maternal mother and the paternal mother of the paternal mother are all haram.

PROBLEM:- The grand offsprings of the offsprings of one's own sister and brother are also haram.

PROBLEM:- The illicit daughter, grand daughter, brothers daughter and sisters daughter are all also haram.

PROBLEM:- The daughter of the woman with whom her husband had committed Le'a'n ( ) will be haram on him although she will be attributed to her mother.

The other kind of woman who are haram are on account of ,

These are

1. The daughter wife will whom has been committed.
2. The mother, grand mother (mother of the parents and the wives of real father and grand father the wives of unreal sons and grandsons.

PROBLEM:- The intercourse of the natural pattern and are akin for the purpose of reckoning the consequence of the act. If the man has intercourse with a woman her daughter becomes haram on him even if he does not commit wati.

PROBLEM:- A man marries a woman but before he had with her, there comes separation between them. In that case the daughter of that woman will not be haram on him.

PROBLEM:- Just as the occurs on account of it also occurs when one touches a woman kisses a woman or looks at the internal part of a woman's shame under excitement of passion (sexual impulse) whether it is intentional or by mistake of by way of forgetfulness or under compulsion, it will in any case prove.

PROBLEM:- Conditions for the are as under,

The woman should be "Mushtahat" or the one who excites passion, which means that she should not be less than nine years of age; she should be alive. If he touches a woman (girl) of less than nine years age or the body of a dead woman the condition of being haram shall not apply.

PROBLEM:- A man marries a woman and his son marries the daughter of that woman form another husband; it is permissible. Similarly if the son of that man marries the mother of

that woman, it is valid.

The Third kind of woman is of those of whom two of the same relation can not remain in the Nikah of one and the same man.

and these are the woman of one of them is supposed to be a man the other become haram on him For example

1. In the case of two sisters, if one of them is supposed a man the two (sister) would become brother and sister.
2. The relation between paternal aunt and the paternal sister, when paternal aunt is supposed to be amn, th resultant relation between should become uncle and cousin and if the paternal sister is suppose to be a man the relation shall become that of the paternal aunt and the cousin (uncle's son)
3. The relation of maternal aunt (Khala) and paternal daughter (Bhanji). If Khala is supposed to be man the relation becomes that Mamoon and Bhanja mother's brother and (his son), and if mamoon's daughter (Bhanji) is supposed a man relation thus becomes that of Bhanja and Khala.

Under shariat's law two of those kind of women can not brought together under one man's Nikah. If he divorces, one then till the expiry of the Iddat he can not marry the other woman.

PROBLEM:- The two kinds of women of the family or blood relations referred to above are not restricted to them above but the same applies even to foster relations two of which to be present under one and the same person is also haram, for example foster-sister, foster-aunts (maternal and paternal).

PROBLEM:- If there be two such women that if any of them is supposed man (masculive) the other becomes haram but if the other woman be supposed a man the first does not become haram, then two of this kind can be made to live together with the same man (husband), for example the woman and the daughter of her husband that if that girl be supposed a man then she would be haram on him as then she would be his unreal mother (sauteli maan) and if the woman be supposed a man then there shall be no relation with him, same proposition applies in respect of a woman and her daughter in law.

The Fourth kind of women are those who are haram because the one is under the possessive (as property) rights of the other like the lady of the house and her maid servant (with no rights of her own) of any description.

PROBLEM:- A woman cannot marry her male servant (ghulam) whether he be under her exclusive control or be shared by others as well.

The Fifth kind of women are those with whom is Nikah haram because of non-belief or faithlessness (shirk).

PROBLEM:- A Musalman can not marry a woman of other sects like Majusis (Fire worshipers) idolaters, sun worshipers and star worshiper and all other sects except those belonging to revealed religions and Books, like christianity or Judaism (Jews), but such marriages should be avoided as complications are like by to arise in such formities. But even in the such case then should be reasonable surety that there women will not turn apostate in which event the Nikah shall become void.

PROBLEM:- A Musalman woman can not marry other than a Musalman man , whatever the latter's religion or belief be.

PROBLEM:- The Nikah of a murtid (a man who rejects or denounces his religion a murtidah (feminine of murtid) can not be valid with any one.

PROBLEM:- The husband and wife were both formerly non-believers, but both because Muslims, in this case the former Nikah (marriage bind) will remain intact, no fresh Nikah binding.

If only the husband accepts Islam, the woman shall be asked to do likewise. If she accepts Islam the wedlock will not be broken, otherwise separation will be made.

Similarly if the woman accepts Islam then the man will be asked to believe. But if he fails till the passage of three menstruation courses by the woman, she does not remain his wife, she can marry whom she likes.

The Sixth kind of women is that (purchased) slave girl with whom Nikah is solemnized as a Hurrah (independent and free woman).

PROBLEM:- In the presence of Hurrah under lawful Nikah with her, another Nikah with a slave-girl is not justified.

PROBLEM:- If a person first marries a slave girl with the Hurrah (independent free) woman, his Nikah with both will be in order.

Seventh kind of women are those who are connected with others (otherwise than by marriage) Nikah.

PROBLEM:- Another Nikah with a woman already in the Nikah of some one else is not permissible, even is she be in Iddat of some one else either on account of divorce or death for any other reason.

PROBLEM:- Nikah with a woman who is pregnant on account of adultery is allowed. If the pregnancy is by himself, he can also have intercourse (wati) with her. If the pregnancy is some one else then till the birth of the child no wati (intercourse) is permissible.

PROBLEM:- Nikah with a woman whose pregnance is established as belonging to a certain dynasty (sabit un Nasab) is not allowed.

Eighth kind of women with whom Nikah is not allowed are those who are above the number of women permissible by Shariat. They are haram for a Nikah.

PROBLEM:- An independs free man can have four women in his Nikah at a time, while a slave (Ghulam) can not have more than two women in his Nikah. An independent free man can have any number of slave girls.

PROBLEM:- Mot's is haram If even if the Nikah is performed for a limited period, it is haram , though it may be for the whole life.

Ninth kind of women are those who are haram on account of fosterage.

PROBLEM:- Women who are haram on account of family/blood relations are also haram on

account of fosterage, except those mentioned in the next chapter dealing with fosterage relations.

FOSTERAGE RELATIONS

PROBLEM:- The fosterage period of every child (boy/girl) is two years. It is not correct, as it is generally said that the fosterage period for a female child is two years while that for a male child it is two and a half years. In respect of feeding period there is no distinction between a male child or a female child. This period of two years is for feeding the child. But for a Nikah to declared as haram the feeding period is two and a half years. It means that although to feed the child for more than two years is haram, if the mother feeds the child within (less than) two and half years, then the Nikah will be proved haram but if the child takes the milk for more than two and a half years, the Nikah will not be haram, though feeding as such is not permissible.

PROBLEM:- Feeding beyond the prescribed limit of two years is not allowed even for the purpose of cure of some ailment.

PROBLEM:- The foster relation is established with the feeding by a woman and not by the milk of man or an animal. Pouring milk in nostrils or throat amounts to feeding which will make the woman haram. Taking the breast in the mouth does not mean taking milk unless it is certain that the milk has gone down the throat irrespective of the quantity of the milk.

PROBLEM:- If the milk of the women is poured dropped in to any part of the body or through any organ, will not mean fostering by the woman.

PROBLEM:- Women must be careful to feed another child, a children as a matter of habit. If she feeds with her milk to any, she should remember herself as also tell others so that complications may not erop up at any time in future. Even normally no woman should feed another's child without her husband's consent. It is makrooh, but if is feared that without feeding there is danger to the child's life, she may feed the child with her milk. In that it is not makrooh. In any case it will be fostering within the prescribed period.

PROBLEM:- The woman who feeds other's child becomes his or her (foster) mother and her husband will become the (foster) father of the child and all the children of that woman will become brothers/sisters of that child even if they all be from the same husband or any other husband of the woman. Further relations such as uncle/aunt etc will be taken as established as if through PROBLEM:- What is haram in blood relations is also haram in Foster relations. (other complex details have been omitted).

PROBLEM:- Nikah is permissible

1. Between the real brother and the foster sister or
2. Between the foster brother and his real sister or
3. Between the foster brother and his foster sister. There is also a case of permissibility between the brother and sister of the family relation when the sister of the unreal brother who (the sister) is from another father.

PROBLEM:- Two children (boy and girl) who take the milk of the same woman become brother and sister and the Nikah between them is haram, although there be a distance of year when they took the milk and if the milk was of two different husbands (who married the woman one after another).

PROBLEM:- The Nikah of the girl who takes the milk of a woman can not be held with the sons and grandsons of that woman because this girl has become their sister or the paternal aunt.

PROBLEM:- The woman gives birth to a child as a result of adultery with her by an adulterer, if any girl takes the milk of that adulterous women shall become haram to the adulterer.

PROBLEM:- The milk of a woman is mixed with water and some medicine and given to the sick in this case if the ratio of the woman's milk is greater than or equal to the mixture, then it becomes a case of fosterage (Raza'at). In the reverse case the fosterage will not be established. This is equally applicable in the case of mixture of a goats milk and the woman milk where dominance or otherwise of the woman milk will decided the issue of fosterage. Similarly if the milk of two women is mixed and given as a medicine, the woman whose milk is dominant shall become the foster mother of the patient. Even when the ratio of the two is equal then fosterage will be held valid in respect of the women, which means that both the women will be adjudged foster mothers.

PROBLEM:- For the confirmation of fosterage opinions of two just and men or one man and two women shall be valid, even it one of the two women one is herself who offered her milk.

PROBLEM:- If the husband sucks breast of his wife, there occurs no damage/ill effect to their marriage / Nikah even when the milk comes and enters his throat.

THE VALI AND HIS AUTHORITY

Vali stands for a nominate person of authority the assigned affair according to his judgement and discretion. His decision or order is binding on to whom so ever it is directed whether the other person or party likes it or not. Vali must be of mature sensibility (Aqil) and an adult as a condition of being appointed nominated as such, no lunatic can be made a Nabi. It is also essential for him to be a Muslim as an infidel (Kafir) can not exercise authority over a muslim. He need not be a virtuous person even a transgressor or an impious man.

There are four grounds or basic qualifications for being appointed a Vali

1. Nearness in relationship (QARABAT)
2. Possession or property (milk)
3. Friendship, affirmity (Vila) and leadership
4. Power to impose authority (Ima'mat).

PROBLEM:- The entitlement of inheritance must be on his own personal basic by way of nearness in relation. It should not be as a sequence to relationship with a woman. In other words the vali is that inheritor that after distributing the inheritance (assets left by the deceased) among the rightful recipients (ZAWIL FURUZ according to Islamic injunctions) whatever is left undistributed belongs to him. And when there are no legitimate near relations (ZAWIL FURUZ) to claim or inherit the property the whole becomes his share by way of inheritance on account of his nearness in relation.

Such a nearness in Nikah is the same as is allowed in the distribution of inheritance, which means that the first and the fore most right appertains to the son, then to the grandson,

then to great grandson and downward generation in the same lineage. When nine in this lineage is available or surviving then the inheritance shall take place in the upper lineage, the foremost of whom is the father then the grand father, then the great grand father and so on in the upper strata in the same lineage.

Then come the real brother and the step brother, then the son of the real brother and the son of the step brother, then the real uncle and step uncle, then the son of the real uncle and the son of the step uncle, then the real uncle of the father and his step uncle (Note: this chain of relations for the purpose of inheritance moves in favour of the grand father and great father (real and step) and their children. In short, the nearest surviving make member of the family will be vali or the rightful inheritor When the son the nearest relation is not surviving then his grand son and great grand son. For the person to be a vali, he should be free and independent, the mantle of being a vali can not assigned to the slave.

PROBLEM:- When no male survivors in any phase are available, then the person from amongst the female relations to be declared as vali is the mother, then the grand paternal mother (dadi), then the maternal grand mother (nani), then the daughter and grand daughter, then grand daughter (mother's side, Nawasi), then the great grand daughter etc. the relationship moves to grand father (nana, mother's side), the real sister the step sister and their offspring.

PROBLEM:- In the event of there being no relations the vali will be that person known as MAULAL MAW'AL'AT or the person on whose hands the father of the deceased has embraces Islam.

PROBLEM:- After of all these the king of the Islamic Kingdom shall be the vali but he can not keep the inheritance with himself and it should be deposited in the Biat-ul-Mal.

PROBLEM:- The Wasi (the administrator of a will or Wasiyat) is not authorized to arrange the marriage of the orphan ward under his guardianship, even if to father had made a wasiyat to this effect, unless he is also the relation in which he is a vali and authorized in this behalf.

PROBLEM:- If some one nourishes a minor child or adopts him / her can not become the vali, similarly rearing an abandoned child does not entitle him to become the vali.

PROBLEM:- The vali of a slave girl is her master, nine else can be her wali. If the slave girl or the slave (man) marry on their own, then it depends upon the master's will to accept or reject the Nikah and his command will be binding, then in the combined will of the masters shall depend the fate of the Nikah.

PROBLEM:- The (real) Kafir is the wali of the (real) Kafir, But the apostate (Murtid) is the wali neither of the kafir nor of the musalman even a murtid can not be the wali of another Murtid.

PROBLEM:- If the wali turns lunatic, then he no longer remains the wali. If his madness / lunacy if of such a nature, that at times he loses senses and at other he behaves normally. In this situation his position as wali remain, but the decision made by him in his lunacy will not be binding, while those made in his normal senses will be valid.

PROBLEM:- Two persons working as wali perform the Nikah of the same person, then the Nikah by the vali doing it first will be valid.

PROBLEM:- Of the two walis (one being near and the other at a distance, both having the rights as of wali) if the near wali is not present, then the Nikah performed by him will be valid. But in the presence of Near - wali the nikah by the distant wali is not valid.

PROBLEM:- The man (kufu in status, but lower than the woman sends a propose for marriage and willing to pay the Meher, but the near wali is not willing and refuses without giving any reason, then the distant wali can give permission for the Nikah (which will be valid).

PROBLEM:- For the marriage (Nikah) of the immature or underage (male or female), lunatic and slave (girl or male) the presence / appoint of a wali is essential, without the wali their Nikah is not permissible. It a free and adult woman a marries a man of kufu status (of the same or equal tribe, caste) without the wali the nikah will be valid, and if she marries with the man of other kufu (without the vali) the Nikah will not be valid if the vali agrees agrees at a later date.

PROBLEM:- The woman who has male relation of hers if she knowingly marries a man of non kufu status, the nikah will be valid.

PROBLEM:- No marriage / Nikah of a mature (adult) free (not slave) and sensible woman shall be valid without her willing consent, even if her father and the king (of islamic state) are give their command in this respect, whether the woman is virgin or otherwise. Similarly no one can insist upon the Nikah of a man adult or a bonded slave or girl without their willing consent. By bonded slave (male or female) is meant the one whose master agrees to free him if the (fixed) amount is given to him.

PROBLEM:- If the near wali or his vakil or some messenger ask the consent of a virgin woman for acceptance of nikah and she remains silent or smiles or laughs and weeps without sound then these gestures will indicate her consent.

PROBLEM:- The near wali without taking the consent of the woman performs her Nikah. Now some messenger of her or any other unconcerned wali informs her about the Nikah. If now the woman remains quiet or she smiles or she laughs or weep without sound, then in all these gestures the Nikah will be deemed valid and she accept it.

PROBLEM:- If the distant wali or some stranger seeks the consent then her silence is not the sign of approvals. If the woman is virgin than instead of giving her open consent if she merely utter such words directly or obliquely which relate to the nikah, marriage or relation between husband and wife, then this would be an indication of consent.

PROBLEM:- While obtaining consent it is also necessary that the name with whom she is begin married should be taken or indicated in such a way that she comes to know identity of her spouse. Merely general announcement as to his caste / tribe or any indirect reference will not be enough.

PROBLEM:- While obtaining consent the amount of the meher should be mentioned. It is not mentioned then the Meher fixed must not be less the Meher-e-Masal. If it is less than that, then the Nikah will not be valid.

PROBLEM:- In the case of the immature underage boy or girl, lunatic and under mutah (Matu'h) the wali has the right to imposed his authority and if the father, Grand father or the son have allowed the Nikah, then it can not be revoked even if the people do not want this Nikah and the persons concerned become mature or the lunatic regains senses. (other

complex details have been omitted).

PROBLEM:- When a woman attains puberty, she should let it be known through some one, stating at the same time that she assumes control /authority over herself to take any decision about her matrimony etc.

PROBLEM:- If the woman did not know that she is entitled to exercise her to rights on account of her reached puberty (or having come of age under law) and as a result of her ignorance in this behalf she did not use her privilege then she is herself to blame (if some wrong has occurred to her) because ignorance us no excuse.

PROBLEM:- If a boy or girl comes to age of adulthood but they do not make it known, then this silence, does not annul the right of adulthood, unless their consent in some matters is given in such a way that they have done deliberately and in full consciousness of the consequences. If it has resulted in the annulment of Nikah, then the question of Meher will be decided whether or not the intercourse has taken place. If it has then meher is due, otherwise not. In the event of intercourse, then in the wake of annulment of Nikah, the woman will have to undergo the term of Iddat.

THE KUFU [FAMILY STATUS OF MAN].

By the word of `Kufu' is meant the family and the status of man entering into a marriage fold with a woman. Under this term Kufu. generally status of a man is lower than that of the woman, but not of that state which may be a shame of undignified in mutual behavior. This term is usually applied to man who social status is always a matter of borbe or interest whenever the wedlock affair between two strangers or of different status is spoken of. The woman of any grade / status is seldom a matter of enquiry.

PROBLEM:- The Nikah of an underage boy with a girl of a non Kufu status (belonging to other caste / tribe) performed by some wati are other the father or grand father is not valid. A mature person, can perform his Nikah with some one of non-kufu status because the question of being a Kufu or non kufu is not a point of consideration, but in the case of underage boy and girl the point of Kufu is to be kept in view.

PROBLEM:- The validity of Kufu depends upon six factors,

1. Family Lineage (nasab)
2. Islam
3. Profession
4. Being Free (not a slave)
5. Integrity / honesty (diyanat)
6. Wealth (financial position).

All the dynasties belonging to Quraish are Kufu to one another in as much as a Qarshi (of the Quraish Tribe) is a Kufu of a non Hashimi, but no non-Qarshi is a Kufu of Quraish. Except for Quraish all the communities of Arabs are Kufu to one another, Ansars and Muhajars are equally included in this. A person of Ajami (non Arab) lineage is not a Kufu on an Arab, with the exception that the nobility of a religious scholar of any lineage is about the nobility of any other kind.

PROBLEM:- A person who embraces Islam (i.e. his ancestors were non-muslims) he is not a Kufu of one whose father is a Muslim, and the person whose father only is Musalman is not a Kufu of one whose grand father is a Musalman. For an Arab who himself embraces Islam or Islam is being followed by his father and grand father all are equal (and Kufu of one another).

PROBLEM:- A transgressor (fasiq) is not the Kufu of the daughter of a righteous father, though the girl herself is not righteous. This is obvious that a transgression in faith far worse than the transgression in conduct / character. There fore the kufu of a sunni woman can not be that irreligious religious person who irreligiosity has not touched the boundary line of Kufr (infidelity or unbelief). And such anti religion persons whose anti religiousness has overshot the bounds of disbelief, the question of such a person marrying a Muslim woman does not arise at all, the issue of his being a Kufu is not even worth mentioning.

PROBLEM:- The status of Kufu in respect of wealth or financial position demands that the man must possess enough amount of money so as to pay off the Meher-e-Mu'ajjal (Instant payable Meher) and the alimony (expenses on maintenance and etc of the family). If he is not engaged in any profession, he must provide at least a months provisions, an if he is daily wage earner he must give the family the minimum which would suffer daily expenses.

PROBLEM:- If the woman is dependent (resource less) and her father and grand father are also like her, then her Kufu from monetary point of view can be only that person who is able to pay off instant Meher and provide maintenance expenses.

PROBLEM:- The minor son of wealthy man will be considered Kufu in respect of money, even if he does not have any amount of his own.

PROBLEM:- Persons engaged in menial profession can not be Kufu of those engaged in noble professions. However those in the capacity of shop owners, factory managers of things considered as of law status such as shoe making etc. can be Kufu of those of less resources belonging to noble professions.

PROBLEM:- A man was Kufu (financially) at the time of Nikah, but his state suffered financial set back, in spite of this his Nikah will remain valid.

PROBLEM:- A man who was engaged in low brand profession which did not make him Kufu for some reasons (feeling shame) he left the job. If he improves his status which removed his sense of indignity, he will now be a Kufu.

PROBLEM:- Though Physical beauty, suffering form some disease and defects (of any kind) are all of passing a nature, even then the wali must keep their repercussions in view so that embarrassment / complication may not have to be faced at later on.

MEHER:

The minimum amount of Meher is 10 dirham, the equivalent of which (as it those in those days) is Two rupee Twelve annas 9 3/5 pies (These coin except rupees are defunct), either in coins, silver or some goods of equivalent price.

PROBLEM:- If the meher is less than 10 dirhams, the minimum of 10 dirhams is wajib (which should be paid) and it is fixed more than 10 dirhams, then the amount thus fixed is

wajib (it should not be reduced).

PROBLEM:- When the marriage is consummated after the intercourse or any of the two dies, then in either event the meher fixed will remain unuttered. Similarly if the divorce was of ba'in nature and the man has another Nikah with her during the period of her Iddat, then this meher without intercourse etc. will become binding. However if the rightful person exempts payment in full off or half of it, then it will be treated as such, and if the Meher was not declared as fixed and the husband divorces her, then half of it will be payable, and in this situation if the husband had paid the full meher, then half of it will be returned.

PROBLEM:- The thing which can not be priced (un exchangeable able in money or on which profit can not be recovered) can not be fixed as Meher. If such a thing is fixed as the Meher then the equivalent value of it will be taken as Meher and not the thing itself for example if the meher fixed is to the effect that the (Free, not slave) husband will serve her for the whole year or he teach he Holy Quran or arrange Haj or Umrah for her. Or if the Muslim man marries a Muslim woman or if in the Meher there is a mention of blood or wine or hog (khinzir) all of which are haram, or a condition was as a meher that the husband divorces his first wife, then in all these cases the meher will be as it is fixed in the family of this woman.

PROBLEM:- In the case of NIKAH-E-SHIGHAR the Meher is like the amount fixed in the society or family of that woman. NIKAH-E-SHIGHAR means that a man his daughter or sister with a man and that (second) man marries his daughter or sister with the first man and the meher fixed in each was the Nikah of one another. Although to do this is a sin, yet the Nikah will be deemed valid, and the meher in terms of money will be like the wajib Meher.

PROBLEM:- If no mention of the Meher was made in the Nikah, or the Nikah was solemnized in spite of the Meher having been negatived in both the case the Nikah will be valid. And if the marriage was consummated. (after sexual act) or a if any of the two dies, then the Meher payable will be like the Meher wajib. Further if after marriage some Meher was mutually agreed by the husband and the wife, then the Meher so agreed shall be payable, and if the Qazi fixed any Meher then that (Meher) will be payable, in both these case what ever is confirmed by Shariat laws, the same will be payable. If it was not confirmed and the divorce took place before the consummation of the marriage, then in both these cases one pair of clothes is to be given as wajib meher. This includes a Kurta (long shirt) pajama and hear bosom covering (dopatta) the cost of which is not more than one half of the Meher-e-Masal (normally is vogue). If the price is more than half of the Misl Meher shall be given period the husband is well of financially and of the husband is poor then the cost of the pair of clothes should not be less than five dirhams. If both are rich then the pair of clothes of any cost and if both are poor, an ordinary pair of clothes will be enough.

PROBLEM:- The provision of the pair of clothes is wajib when the separation comes from the husband side, namely a divorce,calling his wife as his or he becomes an apostate (murtid) etc and if the separation is from the wife's side then no provision is wajib, when the wife denounce her religion or kissed the husband son by way of lust.

PROBLEM:- When the husband divorces his wife whose meher has been fixed, before the consummation of the marriage, then the provision of pair of clothes is not mustahab. If the divorce is given after sexual act (denoting consummation of marriage), then whether the meher was fixed or not the provision of the clothes is mustahab.

PROBLEM:- When the woman gives up half or the whole of the Meher, it is permissible

provided the husbands does not refuse, If the woman is underage (not having gone through puberty) and her father remits the meher on his own, he can not do so. If she has become an adult (is of age) then it will depend on her permission.

Consummation of Marriage (Khilwat-e-Saleeha).

The terminology used to denote the fact that after the Nikah, the sexual act between husband and wife has actually taken place is "Khilwat-e-Saleeha) and it comes into effect when the husband and wife are at once (in complete privacy) and there is nothing to obstruct / prevent the copulation or sexual union between the two. This privacy is a kin to sexual union.

There are three factors which may not allow copulation taking place,

These are (1) HISSI (sexual or sentimental) (2) TABA'CE (Physical) and (3) SHARA'EE (religious tenets).

(1) Prevention / obstacles in Khilwat-e-Saleeh or complete privacy for copulation from sensual / sentiment point of view. The husband is suffering from some ailment which does not permit the sexual union. And if the wife is suffering from disability (sickness) of such a nature that the sexual act will haram her. If her excuse is not of this nature then consummation can latter place.

(2) Physical obstacle, The presence of a small child who will tell others what be sees will not an obstacle.

(3) Obstacle from Shariat point of view. The woman may be in her menses or impurity after child birth or any of the two are with Ahram, or some one is keeping fast for failure in Ramzan. In the above noted circumstances the get together of the newly weds will not permissible or they should refrain till the obstacles are removed.

If in spite of these mentioned obstacle the couple meet one another for the sexual union then it will be defective or tresspassing copulation to known as `Khilwate Fasidah'.

PROBLEM:- If the boy who is not able to copulate with his wife or the girl because of her premature condition is can not respond then in both these cases the union will be an obstructed one.

PROBLEM:- If some thing occurs in the vagina (private part) of the woman which obstruct the copulation, then the meeting will not be taken as right union or Khilwate Saleeha.

PROBLEM:- If they meet at such a place where sexual union is not desirable, such as Masjid, public pass way or an open ground, then the act will not be a correct or permissible one.

PROBLEM:- If the man divorces his wife after valid copulation (without hindrance), then the full meher will have to be paid as Meher-e-Wajib, when the Nikah was correctly solemnized. In the event of Nikah was not in order (defective or fasid) then only with their meeting together meher will not wajib, unless sexual union has taken place in which case the Mehere Masal (normal meher) will be payable.

PROBLEM:- If no meher is fixed, but the Nikah and sexual meeting are both correct, then

the normal meher will become binding.

Some more injunctions of rightful Union (Khilwate Saleeha)

PROBLEM:- (1) If the woman is divorced after a rightful union, then Iddat is wajib on her and in this Iddat it is incumbent that she be provided with maintenance necessities as well as the house to live. Even otherwise after the rightful Nikah, merely with the privacy the Iddat becomes wajib (essential) whether or not the privacy was in order. However in case of the improper Nikah, without intercourse no Iddat is essential.

(2) If he divorces after the rightful union, then so long as she is in Iddat he can not marry her sister.

(3) Nor he can have four wives in addition to his wife (now in Iddat)

(4) If he is free (not slave) he can not marry a slave girl during her Iddat.

(5) And he should divorce the woman with whom he had sexual union at that time which is permissible for a such woman.

(6) He can divorce her (as above) with but he can not restore sexual relations with her, nor in the event of

he can resume sexual relations with on account of the uninterrupted copulation.

(7) If the husband dies when she is in Iddat, she can not inherit his property.

(8) When the meher has been declared as inviolable, it can not be revoked, even if the separation comes from the woman's side.

PROBLEM:- Separation comes in between the husband, the man says sexual union has not place but the woman that there has been the (due) union, in this connection the statement of the woman will be accepted as reliable.

If the get together took place between, the woman and the man, but she could not be subdued by him, If she is virgin then full amount of Meher is due (wajib) and if she is not virgin then the established / fixed meher will not be due.

THE "FAULTY" NIKAH

If any prescribed condition if omitted in the Nikah it will not be appropriate or worth acceptance, for example, the nikah was solemnized without the witnesses, or two sister were given in the Nikah at the same time (with one and the same man), or he marries the sister of his wife during the course of her Iddat, or he marries a woman who is in some one else Iddat or he marries the fifth woman when the fourth wife is in Iddat or in he presence of a free (hurrah) wife he marries with a slave girl.

In all these cases the Nikah becomes invalid.

PROBLEM:- In the event of an invalid (fa'sid) nikah, the meher can not becomes wajib, unless these has been physical insertion (wati) in the sexual act, mere meeting together in

uninterrupted privacy is not enough. If wati takes place, then the Meher Mis'l or customary meher is becomes due which should not exceed the fixed Meher, if the latter is more, then it shall be payable.

PROBLEM:- In the event of a faulty or incomplete Nikah, it is necessary for both (man and woman) to announce it annulment or cancellation (Fas'kh) not necessarily in presence of one another. If they can not do so, the Qazi should announce the cancellation of the Nikah .

When the separation has taken place or if the husband dies then Iddat is due provided then has been physical union. But in the case of a faulty or invalid Nikah also, the term of Iddat is three "menses" and not four months and 10 days.

PROBLEM:- In case of faulty nikah, the Iddat on account of separation is from the time of separation even if the woman may not be aware of this "separation" to become effective means that the should say with tongue " I have abandoned you, you may go, you marry" etc or she has herself gone from his house.

PROBLEM:- Although it is not necessary that at the announcement of separation, the woman should be there, but some one or the other should know this (and convey to the woman). If none knows (at all) then the full Iddat will not be complete.

PROBLEM:- In the event of an incomplete / invalid Nikah there is no provision of maintenance or alimony, even if has been agreed upon it will not be permissible.

PROBLEM:- The like Meher or Meher-similar (Meher-e-Misl) will be the amount fixed as Meher in the family) dynasty of the woman, like the meher of her sister paternal aunt, daughter of the uncle etc. The Meher of her own will not be Like-Meher if she belongs to another household.

The criteria in respect of Meher-e-Misl like/similar Meher) in respect of other woman are (1) Age (2) Beauty and (3) Wealthy, in which they are like one another (4) they live in the same city (5) belong to the same time (6) wisdom (7) sensibility (8) honesty (9) righteousness (10) knowledge and (11) culture, they almost like one another (12) both are virgins non virgins or (13) they are alike in not having children, the meher may be similar if they compare favourably differences of a noticeable nature will influence the meher accordingly (14) the conditions of husband has also a bearing as the meher of young man is different form that of an old man. These aspects / features are taken into account at the time of the marriage (nikah), difference arising later on will not be considered to modify the meher.

PROBLEM:- If there is no woman in her own family /dynasty for comparison are fixation of meher, then the case of another woman belonging to a known family may be taken into account.

PROBLEM:- For the confirmation of Meher-e-Misl (of like nature) the evidence of two men or one man and two women, reliable and sensible, is necessary. In the event of non availability of witnesses, the evidence of the husband, on oath will be permissible.

Meher by naming / entitlement (Meher Musamma)

They are of three kinds.

(1) Unknown or not predetermined determined things in respect of their variety or quality (Majhool-ul-Jins wal wasf), such as cloth, animal house or the pregnant she goat to give birth to a young or the fruits of a garden expected to be gathered or any such unpredictable thing. These can not be fixed as meher, but the meher to be fixed should be the like meher (mentioned above).

(2) Things of a known verity but unknown quality, such as slave, horse, cow or goat, in all these whatever is fixed as Meher should be of average quality or the price of an average person or nothing. This kind of meher (is known as Maloomul Jins wal Majhool ul wasf).

(3) The third of named meher(Mehre Musamma) is what is termed as `Maloom ul Jins wal Wasf (known verity and quality). In this connection whatever is determined is wajib.

Meher related to time sequence

There are three kinds of mehers in this category.

(1) MU'AJ'JAL (derived from the Arabic word 'UJLAT meaning haste) or instant payable.

(2) MU'WAJ'JAL (derived from the Arabic word AJ'AL, Time undetermined) the meher for which no time limit is fixed.

(3) MUTLAQ (Absolute and abstract of a general nature.)

The Mehere Mu'ajjal or instant meher is to be paid by the husband before entering into privacy. The Meher-e-Mu'wajjal or undeclared time limit can be paid any time on divorce or death. The Meher-e-Mut'laqa is neither of the two in entirely that is it can be part of this or that or both.

To receive the Meher-e-Mu'ajjal (instant meher) the woman can click her husband before sexual union or an attempt thereof. Even if the husband wants her company in a journey (after Nikah) she can refused to go unless the meher is paid to her. In the event of Mehre Mutlaq which consists of both the other two mehers, the woman can demanded the part of instant Meher so fixed or customary in her family, as a condition precedent to go on journey or permit sexual intercourse.

It is better to pay the Meher-e-Muj'wa'JJal (undeclared time limit as early as possible, to be free of this liability. Normally, this kind of Meher is paid at the time of divorce or on death. A part from divorce or death, the discretion is that of the man, the woman can not demand as a matter of right.

PROBLEM:- In the case of an underage or immature girl , If after the Nikah (with instant meher) has been solemnized and she is on her way to her bridegrooms residence (Rukhsati), but the mehere muajjal has not been paid, then her wali has a right to demand the meher before her going into the nu;ptial chamber and the husband can not do anything unless he pays the meher muajjal.

PROBLEM:- In the meher of time limit the woman can check her from further sexual union if she is not paid the amount in spite of her demand after the term is over.

PROBLEM:- In order to get the Meher-e-Mu'ajjal (instant Meher) if she refuses the sexual

union, the claim for maintenance will not collapse and in that condition she can out even in a journey when it is necessary without the permission of her husband, but over she receives the meher-e-mu'ajjal, she can not go without permission, she can meet her parents once a week, for the whole day and to see blood-relations once a year, except the blood relations (Maharim) she can not go to any friends or other relations even on occasions of festivity or mourning, nor should her husband allow her in these cases. If he permits, both (the husband and the wife) will be sinners.

PROBLEM:- When the husband sends some thing to the house of his wife and calls it a `hadya' (present or gift) he can not call it meher. In the event of dispute the oath should be taken to settle it.

PROBLEM:- Whatever has been in the `Jahez' (dowry, a brides parapheronatia) can not be taken back by the husband can not be taken back by him. If the thing sent by him, is not by way of Meher and it still remains unutilized, she can return it and receive the Meher instead.

PROBLEM:- Nothing can be taken back from what has been given as Jahez even by the inheritors if the article was given in a state when death looks imminent (Marz-ul-Mant). The wife is the only heiress.

PROBLEM:- At the time of sea-off (wida or rukhsati) of the bride if the people of the girl had taken something from the bridegroom or if the brides relative refuse to send her off without taking something and the groom pays off the same for taking her home, he can demand back his money / things or its price, as it is kind of bribery.

PROBLEM:- The husband gave Jahez to the girl and then says it was by way of borrowed article. If the girl or on her death the husband says that it was by way of possession (Tamleek). If it was a thing normally given in dowry (jahez) then it is the property of the girl. If however the thing contains both the aspects viz borrowed or loan nature as will as possession then the words of her father or heirs will be acceptable.

PROBLEM:- In a case where the girl's statement is trust worthy, if her father can produce evidence that he had given the thing as borrowed article and the witnesses corroborate him, then their evidence will be acceptable.

PROBLEM:- In a hose where both husband and wife live and where there are articles to which both lay their claims, then to decide the issue nature of the things will be taken into consideration. The articles which are exclusively of feminine brand such as head and shoulder wrapper (do-patta), dressing table, feminine dresses shall be given over to the woman. However, when the husband proves by evidence that these things belong to him, then these will be made over to him but when the woman brings witnesses to prove her possession, she shall in given the same (despite husbands claim / evidence). If one of them dies and the differences of the same nature erop up, then the issue will be decided as stated above. The things will be given to the one who uses them and not to the heirs. The merchandise of business will go to the man if he was carrying on the business of the same.

PROBLEM:- The father of an underage girl can claim the meher-e-muajjal and she is able for a sexual union, he can also demand her (to be allowed) to go with him. for this no criterion of age will be raised. If she is unable to have sexual intercourse, even if she has attained puberty, she can not be forced for a see-off (rukhsati).

THE NIKAH OF A KAFIR.

The kind of Nikah which is permissible among the Muslims, if the Kafirs (non-muslims) also do like was then it would be permissible. But there are some kinds of Nikah which is permissible among the Kafirs, but for the Muslims they are not valid. When (for example) the Nikah id defective of the absence of witnesses or the woman was in the Iddat of a Kafir and the Muslim marries her in that state. It is also conditional that the Non-muslim (kafirs) should approve of the Nikah between Muslim and non-muslim, according to their procedure and belief. If both the non-muslim man and woman become Muslims, their nikah of their former faith will continue and no change will be necessary. If however the matter goes to the Qazi, he will decide the issue (on merits) and shall not break the nikah.

PROBLEM:- If the Kafir marries a Mahrim (blood-relation which is haram in Islam) and it is permissible among them, then it will remain as such and other conditions of maintenance will also enforced, but they will not be heirs (inheritors) to one another. If later they both convert to Islam, or one accepts Islam, then the issue will be decided between them, provided both of them take their case before the Qazi. If only one party present his / her case, then no decision between them with be made as to their separation.

PROBLEM:- If the husband and husband belong to any other religion than revealed christian or jewish and any of them accepts Islam then the Qazi will present Islam before the other if he / she accepts Islam there remains no issue, but if the other refuses or maintains silence then the Qazi can dissolve the marriage, but before that he must ask three times before giving the decision of separation. If both belong to religion of Books and the man accepts Islam the woman will remain his wife as usual.

PROBLEM:- If a woman migrates to a Islamic state (Darul Islam) and if she accepts Islam or decides to remain as a Zimmi (under protection of the government on payment of Jizya), she is free to marry immediately provided she is not pregnant, in the latter case, after the child birth (delivery) but this period will not be counted towards her Iddat (on separation from her former husband).

PROBLEM:- If any of the Muslim husband and wife denounces / goes back on Islam, the Nikah gets dissolved automatically and immediately. It will not be a separation as a divorce, but it will an one right cancellation. If the woman has had sexual union,she can claim full meher. If she has remained "un sexed" and goes back on Islam, she gets nothing as Meher etc. If the husband becomes `murtid' (rejecter of faith), she claim half of the meher. If the woman rejects Islam and dies the muslim husband will receive the inheritance.

PROBLEM:- The woman an dthe man both become `murtid' and then both again embrace Islam, in such a situation the former Nikah does not remain intact. It of them becomes muslim, then the other (not simultaneously), even then the Nikah would get dissolved.

PROBLEM:- If the woman goes back on Islam (becomes murtid), she must be compelled to come back to Islam, and she should be kept under isolation till she dies or accepts Islam. In the latter case she be remarried (with a fresh Nikah) and the meher now fixed should be nominal or of very small amount.

PROBLEM:- If the woman utters the words of kufr in order to get released from her husband and marry another man to receive full meher, then in that event every Qazi will have powers to re-marry her with her former husband on a small meher, whether or not the woman agrees, further she will not have choice of marriage with any other man.

PROBLEM:- The child of a parent belonging to different religions, will be under the authority / guardianship whose religion is better such as if one is a fire worshiper and the other belonging to revealed religion, then they will go to the latter.

PROBLEM:- If the husband who is addicted to intoxication, and he utters words of kufr under the influence of intoxicant, the woman will not go out of his marriage bond, but it is advisable if a fresh nikah is solemnized.

FIXING `TURN' (Bari) BETWEEN WIVES

The Holy Prophet (Allah's grace and peace be upon him) has said that "if a man has two wives and he does not maintain equity between them, he will be raised on the Day of Judgment in such condition that one half of his body will be completely paralyzed.

PROBLEM:- If the man has two (or more) wives then it is binding on him to maintain justice and equity in matters which are in his power, such as the clothes, food, shelter etc. However in matter, concerning mostly emotional such as live, inclination towards one or other, he must pay due regard to others without causing heart burn etc. It is also not necessary that he must have equal sexual contracts with all.

PROBLEM:- As regards the sexual intercourse, it is at least once, binding (in order to have the consummation of Nikah or khilwate Saleeha) then after it is upto him to maintain this aspect as a matter of justice and equity, not so scarce so as to make the woman look at others to express her starved sentiments nor so frequent and unbridled so as to cause her harm physically or otherwise.

PROBLEM:- She has a single wife, but he is not so much inclined to her as he devotes his times in religions devotion and rituals. In that condition, the woman ask her husband to pay attention to her as will and the man should not ignore her so persistently. It is said in the Hadees:"Your wife has her rights on you." so much involvement in religious devotion, even at night, causes negligence of her "rights" the fulfillment of which is also binding on the husband. The judicious portion between husband and his devotion is reported to be according to Hadees, is four days for his wife and three days for devotional exercise / rituals etc.

PROBLEM:- All categories of woman in marriage have their rights for receiving the attention of their husbands, though the nature and quantum of attachment may very from woman to woman as from man to man, the wives may be classified as old and young, virgin and non virgin (having undergone sexual act), healthy and sick pregnant and not pregnant, the underage or girl fit and willing for sexual union with menses or with impurities of child birth, one with whom the one divorced with a returnable permission, known as Tilaq-raj'ee and be intends to return to her, the one with Ahram and hysteria affected woman but not likely to cause physical harm, All have their rights under the laws of shariat which must not be trespassed wantonly, all must have their "turns" and the none should not be deposed with or ignored under one pretext or other.

PROBLEM:- If there be two woman, one Free (not a slave girl) and the other a slave girl, then for the independent and free woman, her husband should have two days and two nights and for the slave girl one day and one night. The slave girl who is no one's possession, she has her own choice, there is no fixed "turn" for her.

PROBLEM:- In "turn" in this context means `visit at night', therefore the man can not go to "visit" another wife without any reason or his own free will. However he can go during day time for some necessity. If the other wife (out of turn) is sick, the husband may go to her to enquire about her health. If she is seriously ill, he can also stay will her at night. In this connection, it must be remembered that except for the day fixed as a turn, the husband can not visit another wife during daytime for sexual intercourse.

PROBLEM:- It is open to the man to fix alternate days for turn, or three days at a stretch for each one or even a full week for each turn by turn.

PROBLEM:- There is no turn for any one while the husband intends to go on journey. He can take any one he likes, however it is advisable to cast a draw comes not should be taken as companion on the journey. One return, other woman can not claim that they should also be given as most time as the other had remained one, on coming back home, fresh days of `turn' shall be fixed. `journey' in this case means some religious journey. To go abroad for stay in other places / travel under this injunction.

PROBLEM:- The woman can give her `turn' as a voluntary gift (hibah) to another woman (co-wife or rival)). She can also take back her voluntary gift.

PROBLEM:- Fore - play like kissing, embracing, sexual act etc with every woman (wife) in the same proportion is desirable (mus'ta'jub) but not wajib (essential).

THE RIGHTS OF HUSBAND AND WIFE

Often the scuffle and disagreement between man and wife occur because there mutual rights are not open heatedly observed. If at one place the Holy Quran affirms the superiority of men over women in the famous verse;

(Men have domination over women [Nisa 4=V]), at another place it also reminds and stresses upon the menfolk

(live with women in a well spelt out manner [Baqarah 2=V]), which also means in an equitable and just manner, without usurping their right in a heavy handed manner. If right and privileges of both the consorts are maintained and safeguarded scrupulously, most of the internal fends and skirmishes in and outside the family fold can be avoided and the life can be lived in a satisfactory and contented manner. Below the commands mentioned in Ahadees of the Holy Porphet (Allah's grace and peace be on him) are given for general guidance so as to ensure peace and harmony in the family life of muslim fraternity.

RIGHTS OF MEN OVER WOMEN.

The Holy Prophet (Allah's peace and grace be on him) has said: On woman devolves most the observance by her of the rights that are due in favour of her husband among the men-folk, and on man the rights of his mother are fore-most in the line of his behaviors and deeds.

He said: If I were to command any one for prostration I would have asked the wife to prostrate before her husband.

The Holy Prophet (Allah's peace and grace be upon him) has said: By Allah! A woman can not fulfill her obligations (duties) to Allah, unless be fulfills her obligations (duties) towards her husband.

He has said: When a husband calls, his wife (at night) to come up to him and she refuses, whereupon the man in anger and anguish spends the night, the angels cast curses on her till the morning. It is also said by him that so long a husbands remains angry against his wife, Allah the Almighty also remains angry with her.

He also said the woman should not check herself from (the desires of) her husband, and except for Farz Fasting, she should not observe any fast against the wishes of and without the permission of her husband. It will be a sin if she stills kept the fast. Without the permission and consent of her husband, no good deeds of her will receive approval of Almighty Allah. If she does any good deed without the permission of her husband, the reward there of shall go to the husband and the blame will be her lot.

Without the consent of her husband the woman should not go out, from his home, and if she goes, then so long as she does not offer repentance (taubah) the angels will continue cursing her. On this some one asked, even if the husband is a tyrant? and he replied `yes! even if he is a tyrant.

The Holy Prophet (Allah's peace and grace be upon him) has said,`if the woman dies when the husband was pleased with her, she will be admitted in the Paradise.'. He said, every permissible thing (mabta'h) which the forbids, it is binding on her to comply.

PROBLEM:- When the husband desires his wife to have make-up to beautify herself but she does listen and when he call her to come up to him and she keeps aloof, then the husband has a right to beat her, And if she persistently refuses to offer prayers (Namaz) on her husband's bidding, then in such an event the divorce will be justified.

PROBLEM:- If the woman has any problem (query) to solve. She should ask her husband and if he i unable to tackle he may seek the help of some scholar, but the woman need not go to him. If he however no such arrangement is possible, then she can go to the scholar (religious) herself.

PROBLEM:- If the father of the woman is invalid and there is non to look after him, then in such a condition she can go and assist her father, even if her husband does not allow her.

RIGHTS OF THE WIFE ON HER HUSBAND.

Apart from `meher', the provision of food, clothing and shelter and other necessities is the responsibility of her husband. He must display amiable and courteous behaviour towards her and try to keep her satisfied and please, so that she may in the like manner this maintaining a congenial atmosphere in the house. He should not resort to beating and abusing for trifle matters. The Holy Prophet (Allah's grace and peace be upon him) has said: "Among you those are good (and praise worthy) whose behaviour and treatment towards their consorts it of polite and gentle disposition".

He has said that a musalman must not keep his believing woman a detested and hated (or in other words, he must not look down upon for small faults and things which are beyond

her control to mind.) If she has something undesirable, surely, she must have many virtues and qualities which compensate the pitfalls. The man must not concentrate on her `faults' alone, rather he must keep her virtues before him. so that unpleasant sentiments are not aroused against her. He must no beat his wife as one beats a slave, after he has go to her for satisfaction of her sexual urge!.

The Marriage / Wedding Ceremonies.

In a marriage / wedding now a days many kinds of ceremonies are observed in order to demonstrate their pleasure of marrying their son/daughter. The joy is natural and it should celebrated in a natural joyous manner. But unfortunately and ostentation and outward display of one's richness, even if it is on borrowed money. Which becomes almost a life-long curse, the real spirit of thanks going and gratitude to Almighty Allah has been pushed back to a secondary position. with the result that all these occasions of festivities are devoid of Islamic solemnity and as such the pristine pure pleasure which ought to be the prize of providential benevolence is seldom seen operative behind every display of power and position on these occasions.

Almost every marriage / wedding in the sub-continent country among the Muslim, looks like of puck of rituals and ceremonies which have come down from ancestors. The tragic aspect of these weddings is that as the time passes, more and more superfluous ceremonies are added, while at the core nothing but hollow show of pleasantries dominate the seen which soon depart as the `honourable guests' leave the wedding spot, with criticisms / objections on different scores though it is primarily for these guest alone that this burden some lavish extravaganza is staged.

Reverting to what the real issue and how far they respond to Islamic tenets the summoned version of these viccue points are given below:

Mostly the marriages are based on age long conventions with varing to fund out how far these conventional displays have religions sanction which them. At times these custom/convention touch the borders of haram and halal. But the urge and the force of age long coustoms and ceremonies is so great that these actually become the very test and trial of one's prestige and ego that any default or shortcoming in this behalf would become source of taunts and criticism by other self worshipers.

As it is said earlier all possible effort are made to comply with minute details even at the cost of loans/borrowings etc if the money at home falls short of requirements, in spite of the fact that afterwards a long time will be taken to repay these loans. This is simply un islam causing untold hardships and miserable to all concerned. It is also a fact that no loans / borrowing could be obtained without the payment of "Interest" (sood) for which new and modern names are given. It is a dual curse that the interest can not be avoided while taxing the loans and also when paying the loans. The issue becomes more tragic when it is realized that all these impermissible liabilities have to be borne for the sake of custom/conventions/ceremonies are more of extravagant nature that the bare necessities. Which are in tune with Islamic injunctions.

Some of frivolous and uncalled for activities which are followed as essential concomitarats are listed below. Needless that most of ceremonied etc are against the Islamic tenets but people concerned seldom care to have a second thinking about it.

(1) In the list of ceremonies singing (and at times dancing) by young girls on each occasion of festivities / ceremonies. The themes of those songs are mostly romantic which seem to arouse youthful sentiments which , on occasion, become sources of unbundled overtures in these raw minds.

(2) There used to be among the upholders of conventions who hold night long singing sessions known as "Rat-Jaga" (keeping awake by night!) in which the middle aged ladies also take part and at the near-end of the night to proceed to a nearby masjid with lighted chiraghs as an omen of brightness in the coming years of the marrying couples.

(3) At places fire works and gun-shots displays are also arranged to thrill and amuse the guests and by stand.

(4) Now a days some more ceremonies have been introduced, which although in a sense, are the replied of the old customs such as Mendhi, have become occasions of show of extravaganza on both the sides costing heavily on their limited resources. What is more objectionable in such a ceremony that there is an open competition of songs and dances by young boys and girls, each forming a challenging party to outwit and outclass the other party! This gives way , at times, to express their romantic impulse into `friendship' and later completions in family relations.

These are some of major will known ceremonies which have common features in almost the marriages / weddings in rural and urban areas. If we examine their justification as part of marry making because such occasions are to be taken as entering into a new and full of hopes brand of life and as such there ought to be the expressions of joy and festivity, but all these should be managed with a sense of moderation, and lavishness leasd to satanic impulses and acts which are manifestly haram in the Shariat.

The Divorce

With the Nikah, a woman becomes bounded to and under the command of her husband and the revocation or withdrawl of this bondage the woman becomes free; the latter cause when the woman no more remains under the control of her husband is known as `Divorce' or `Talaq' in the shariats terminology. To give effect to divorce (talaq) certain terms/words are prescribed, which shall be discussed later on.

There are two eventual states of the Talaq (Divorce) once is of instant nature and the separation comes into effect no sooner than the Talaq is announced (on account of the special features of the Talaq (divorce), within the purview of shariat's lawa as compared to the common usage of divorce in international forums we shall used the word Talaq for divorce in this chapter. It is the terminology used in the Holy Quran.

The Talaq whereby separation between husband and wife takes place then and there is known as `TALAQ-E-BAAIN'. The other state when the Talaq comes into effect at the end of the period of `Iddat' which means the waiting period of a divorced woman (or a widow) after which the woman will be free. This is known as `TALAQ-E-RAJAEE'.

PROBLEM:- Talaq is permissible, but without the lawful justification under the shariat, in which case it is mustahab. However in certain cases it becomes incumbent on the husband to give the Talaq and relieve the woman of the mental/physical agony. It is when the husband is impotent or eunuch in which case he is in capable of fulfilling his sexual obligation and when there is no like hood of his recovery to regain the capability as such.

PROBLEM:- Talaq is of three kinds (1) Hassan (2) Ahsan and (3) Bi'da'ee. Talaq-e-Ahsan is less comber some than the other two. It stands for the Talaq Raj'ee given in the period of purity in which the sexual act, has not taken place. He should stay as such (without intercourse) till the expiry of period of Iddat.

Talaq-e-Hassan stands for the Talaq given to the wife with whom sexual intercourse has not taken place or the three Talaq given to the intercoursed wife in three periods of her purity provided he has not done the intercourse in these three periods of her purity or when she was in `menses' or he gave three Talaq in three months to the woman who does not have `menses' for example a girl below the age of puberty or the pregnant woman or the woman who has ceased `menses.

Talaq-e-Bida'ee is to give Talaqa twice or thrice an one period of purity (either repeating the word Talaq on three or two occasions or all three, on one occasion. This has been mentioned in some details which relate to exceptional case of menses/sexual act). Talaq-e-Baain given in the period purity becomes Talaq-e-Bida'ee.

PROBLEM:- If the Talaq when she has `menses' then he must return her to restore conjugal relations as it was a sin to divorce her when she was in menses or in a state of impurity. If he still wants divorce her, then a purity must pass after the current `menses' when she becomes pure then he can divorce her in this state of purity, provided his `return' to her if is after sexual intercourse if his return is after an act of simple caress such as kissing or words of amorus love, then he can divorce in the period of purity after this menses.

PROBLEM:- If he divorces his wife whom there is normal sexual contacts, when she is in menses by saying "I give to you Talaq" twice or thrice according to sunnat, then each talaq

will occur in each period of purity, the first of which will be in the period of purity in which no intercourse has taken place.

PROBLEM:- If he divorce the wife who gets normal menses and there is usual intercourse with her, in a state of purity which is free from sexual act, by saying `I give you Talaq two or three time according to sunnat', then the first Talaq will take effect for with (at once).

PROBLEM:- If he says to the wife who gets menses, at a time when she is in menses `I give you two or three talaqs according to sunnat' then the first talaq will take effect in the first period of purity after the menses.

PROBLEM:- If he gives Talaq to his wife when she is in the state of menses, but with whom he has has sexual intercourse by saying, I give you Talaq two or three times according to sunnat, the first Talaq will be affective in the state of purity after the menses.

PROBLEM:- If he says to his wife in a state of purity in which he had intercourse, `I give you Two or Three Talaqs according to the sunnat', then the first Talaq will taken in the first of purity after menses.

PROBLEM:- To Say, "I give you two or three Talaqs according to sunnat" with whom he had to sexual intercourse, the first Talaq will become effective immediately (even she be in menses), the second Talaq will occur when solemnize Nikah wife, because after the first Talaq she becomes Baa'in for him and gone out of his marriage bond.

PROBLEM:- To give Talaq two to three, according to sunnat to a woman who does not menses but enjoys sexual relation, the first Talaq will take place at once, the second Talaq, in the second month and the third, in the third month.

PROBLEM:- If he says a woman `I give you Talaq two or three times according to sunnat', with the intention that all three Talaqs should take effect together, then this will be in order. But if his intention is that the Talaqs should be effective in each succeeding months will not be valid if the woman has not been intercourse before, because in that event she would become Baa'in after then first Talaq and will be unlawful as a wife.

CONDITIONS FOR TALAQ (DIVORCE).

These conditions are (1) The husband should be of normal senses (Aqil) and major in age (Baligh). An under-age (na baligh) or lunatic husband can not give Talaq himself or nor his wati (guardian) can do so.

PROBLEM:- If a drunkard or addicted to ones gives the Talaq it will be effective as he considered a man of normal sensibility (Aqil). The Talaq in the state of intoxication or unbalanced sensibility will be effective. No condition can be set forth by a woman in respect of the Talaq, event if she a minor or mentally deranged.

PROBLEM:- If some one is forced to drink intoxicant against his wish or under extreme condition when it is the question of survival or without knowledge of being an intoxicant, in all these exceptional cases, the Talaq given by an affected man will not be valid.

PROBLEM:- For a Talaq it is not necessary that it should be given as a matter of self will (in which case, it becomes binding), it will be valid when some religious / shar'ee compulsions

or unavoidable prohibitions (known as Shar'ee Ikraah) are also involved.

PROBLEM:- Even the words of Talaq uttered in jest of joke when no other meaning other than Talaq can be deduced or stretched through arguments etc, will be deemed as willful Talaq. (no buffoonery or pleasantry in matters of Talaq is allowed).

PROBLEM:- A man of semi wisdom or low mental agility or a half mad are like in the matter of Talaq which will be valid.

PROBLEM:- If a dumb/mute person gives Talaq by gesture or indication, will be valid if he can not write. If he can write, then he must give Talaq in writing.

PROBLEM:- The man wanted to speak some other word, but the word Talaq was uttered unconsciously, or he uttered word Talaq without realizing it significance or in jest and carelessness or just to intimidate (his wife or any one else), in all these cases, the Talaq will occur (and it can not be withdrawn).

PROBLEM:- It the disease/illness of the sick or patient who has not lost his consciousness, gives the Talaq (by any means), it will be valid.

PROBLEM:- Serious mental diseases like delirium. inflation of the brain(Sarsam) or some other disease which result in the loss of senses are reasons when the Talaq, it will not be valid, or if he utters words of giving Talaq when in deep sleep, it will not be taken as valid or effective.

PROBLEM:- If some one utters as giving Talaq in a state of serious rage which has upset his balance of mind, The Talaq will not be proper.

PROBLEM:- Some people resort to Talaq and later repent their action and offer lame excuses such as anger and run after the Muftis for Fatwa. The Mufti should be careful in accepting these excuses. Mere anger can not taken as a ground for cancellation of Talaq, unless solid concrete evidence is produced to prove it bonafides.

PROBLEM:- If the wife of a minor age husband accept Islam, and the Qazi present Islam to him for acceptance (so that their conjugal relation may remain intact, if he refuses to accept Islam, Talaq occurs between them.

PROBLEM:- If the word was not uttered by Tongue but was written on a thing which is non-static (winter air) where the word does not remain decipherable, then the Talaq will not take place, and if it is written on some concrete thing like paper or black board etc, with the intention of Talaq then it will become Talaq. what ever the mode and content of the writing.

Any letter written to the wife in this behalf will be effective as Talaq form the date of writing when the Iddat shall also begin. However if he writes that as soon as she receives the letter, she must consider herself as divorced immediately an receiving the letter, whether or not she reads it or not.

If the letter of Talaq gets lost in the way and it does not reach her, the Talaq will not occur.

If this letter is received by her father and he tears it and does not inform his daughter, then if the letter comes in that city where she lives, then the Talaq will take place.

PROBLEM:- If the man writes Talaq on a piece of paper and says it is not his intention, but

he has written as a matter of practice then in the tenets of law, his words can not be trusted.

PROBLEM:- If the man writes Talaq on two papers and both are received by the woman, then the Qazi can pronounce two Talaq.

PROBLEM:- If the man gets the paper of Talaq written by some one else, then the Talaq becomes effective.

PROBLEM:- In the case of written Talaq, it is necessary that the evidence of the husband is necessary to the point that he himself has written the Talaq Namar or got in written by some one else or the woman produces witness. The similarity of hand writing or his signature are not enough. However if the woman testifies that is his hand writing, then she is permitted to take it as such and act upon it. But if the husband denies of having written the Talaq Namar, then recourse to litigation remains the only solutions.

PROBLEM:- If some one compels to write the Talaq and he can avoid it although there is no intention or will in his heart to do, nor has he uttered the word `Talaq' by month, then it will not be a Talaq. The compulsion or force must be valid in the view of the shariat. Simply to keep the words of others is not a valid ground.

PROBLEM:- Talaqs are of two kind (1) Sareeh (clear, unambiguous) (2) Kinayah (by gestures or using figurative language)

Sareeh (clear, direct etc) is the language or the expression which clearly and directly states the occurrence of Talaq, it may be in any language.

PROBLEM:- The word `Sareeh', will be equally applicable for any expression such as (1) (I give you the Talaq) (2) (Talaq is on you) (3) (You are divorced divorce Talaq given) (4)(You are Talaq holder) (5) (I give you Talaq) and (6) (O, the woman who has been divorced / given Talaq).

All these utterances signify that it will be one Talaq-e-Rajee (where husband can go back to her to restore conjugal relation, whether he has intented this Talaq or he had Talaq-e-Baa'in in his mind, or he intended more than one Talaq.

PROBLEM:- Due to some defect in speech such as stammering the word "TALAQ" spoken in any manner would stand for one Talaq of Raj'ee nature, as it would indicate the distinct intention of the speaker.

PROBLEM:- In Urdu, the words (I abandanded or left you), is distinct (Sareeh) and means a Talaq-e-Raj'ee whether or not the intention of Talaq (divorce) in the speakers mind.

PROBLEM:- In respect of pronunciation of the word "Talaq" right or wrong the literate and the illiterate are equal. Even if the word is uttered as a threat or intimidation, it will mean Talaq. However if he informs his colleagues that he would utter the word 'talaq' purely as a threat without serious intentions behind it, this will not be taken as Talaq.

PROBLEM:- If some one asks his friend (just a friendly enquiry), "Have you divorced your wife?" and he says, "Yes! why not?" This will mean a Talaq, whatever his intention may be. If however he refuses in a loud and definite manner, his refusal will be accepted and the Talaq will not take place.

PROBLEM:- Some one suggests Zaid (another man) `There is no Talaq on your wife', If Zaid replies `why not?' or `why', then will be a Talaq. But if he refuses directly no Talaq will take place in the latter case.

PROBLEM:- A man has not divorced his wife, but says to the man that he has given Talaq to his wife, then legally it would mean a Talaq, but morally or in intentionally it will not mean as such.

PROBLEM:- A man has given only one `Talaq', but says to the people he has given "Three" (Talaqs), then legally it will be taken as "Three" even if he says he had told a lie.

PROBLEM:- The husband says to his wife in Urdu (O the one divorced/given Talaq) (O the woman with a Talaq) or any such phrase indicating `Talaq', then in all these case, it will be a Talaq, even if he says he wanted to rebuke/taunt his wife. If however he had refer to her former husband who had divorced her, than his plea will be accepted provided it is a fact. Otherwise if his explanation will not stand.

PROBLEM:- Supposing husband says to his wife in Urdu

(I am giving you Talaq), it becomes a Talaq. If the words are taken to mean "I intend to give you Talaq" then morally it will not be, though legally it will amount as Talaq. Or if he says

(I intend to leave) then it will not a talaq as it is merely an intention.

PROBLEM:- Such words spoken in Urdu spoken to the wife like (1) (Talaq on you) (2) (Talaq to you) (3) (Let Talaq be) (4) (You are divorce) (5) (You have become with Talaq) (6) (Take the Talaq), when she was going out, he told her (Take Talaq along) (cover yourself with Talaq and be gone) (I have knotted Talaq with the edge of your head cloth) (Go away! Talaq be on you). With all these words there shall be one Talaq (Raj'ee), if the word go away was uttered with the intention of Talaq, it will be Talaq-e-Baa'in.

PROBLEM:- Some one said about his wife (inform her about her Talaq) or (give her the glad tidings about her Talaq) or "write to her" or send to her the certificate/document about her Talaq. In all these situations, Talaq becomes effective immediately, even if he has neither said or written, or he simply says `go and tell her, she is a divorce or said to go and give Talaq to her (through some one), then in this situation he personally goes and tells her, the Talaq will not be effective.

PROBLEM:- The man tells his wife (in Urdu) (I intended Talaq for you) or (Talaq is for you) or he said "Allah has destined Talaq for you", In all these case if the intention is to give Talaq, the Talaq will be Raj'ee.

PROBLEM:- When the husband says `I have released you from bondage of hardship, then unless he expresses in clear that what he means is that he has released her from bondage or restraints in which she has been so far (in which case it will not be a Talaq) his words would be taken to mean that the intention behind this is to give Talaq and the decision will be enforced accordingly.

PROBLEM:- If he says to the wife `You are haram on me', it will amount to Talaq-e-Baa'in whether or not his intention is was not this.

PROBLEM:- He says to the wife "I am haram on you and the intention is of Talaq, it will be

so accepted and the Talaq shall take place. However, if he simply says `I am haram', without elaborating further, the Talaq will not occur.

PROBLEM:- If he says `your Talaq has become binding (wajib) on me', it will mean Talaq.

PROBLEM:- If he says `Allah may give you Talaq', it will not be effective. If he says `Allah gave you Talaq', the Talaq will take place.

PROBLEM:- While giving talaq reference to the time period is essential, similarly there should be clear indication (by name) as to whom the Talaq is being given.

PROBLEM:- If he says to his wife `For you Talaq is in Mecca (a definite place) or in home or in the sunshine or in shade (an indication of time) the Talaq will become effective. If is not necessary that he (or she) will have to go to Mecca.

PROBLEM:- If he says `To you Talaq is on the Day of Judgement', it is sheer senseless, and no Talaq shall take place. If he uses the words `before the Day of Judgement', the Talaq will occur at once.

PROBLEM:- If he says `tomorrow is your Talaq', then immediately on the sunrise the next day, Talaq will become effective. Similarly if he names any month (shaban) then on the last day of the current month (Rajab) immediately after sun set, the Talaq will come into effect.

PROBLEM:- If he indicates the number of Talaq by fingers, then this number will be the fingers of the open hand and not the closed fist. If three fingers are open then the number of Talaq will be 1, 2 or 3 as the case may be, otherwise it will be one Baa'in Talaq.

PROBLEM:- If he uses some adjective to the word Talaq that would indicate the nature of Talaq for example Talaq-e-Baa'in which expresses seriousness of his intention. Any other similitude will not be accepted, If his intention is of 3 Talaqs it will be accepted as such. Otherwise it will be one Talaq-e-Baa'in. If the wife is the slave girl, then two Talaqs will be the maximum.

PROBLEM:- Sometimes numbers of Talaqs are exaggerated to indicate contempt, such as thousand of times of Talaq, it will be maximum three.

PROBLEM:- If he says `Full Talaq', it will be one Talaq and if he says `Total Talaq', it will be Three Talaqs.

PROBLEM:- If he marries a woman with a defective or tainted Nikah and gives her Three Talaqs, he still can marry her without the HALAH (which means to marry another man who divorces her) because the woman with the false Nikah will be treated as having left him. This is not the Talaq in the real sense, but it is an indication of desertion (having been given up or).

Talaq of an intercoursed woman.

PROBLEM:- If the woman who did not have sexual intercourse, is given "Three Talaqs", it will be taken as such. IF the number is pronounced one by one to make it three, it will be one Ba'in Talaq only. However in the case of woman who had sexual intercourse , the number of Talaqs spoken one by one to make it three, it will be taken as three Talaqs.

PROBLEM:- Number of Talaqs should be spoken in round figures. In case of fraction, the next full number will be taken.

PROBLEM:- The man who has tow or three wives, if he intends to give Talaqs to any one of them, he must name her clearly. Other vague statement will be of no use.

PROBLEM:- If the woman demands three talaq and the man says "Given", it will be Three talaqs. But if he says "I give you Talaq", it will be taken as one Talaq, although his intention may 3 Talaqs.

PROBLEM:- If the woman says `I give Talaq to myself', and the man agrees then the Talaq is effected.

TALAQ BY ALLUSION OR INDIRECT STATEMENT SUGGESTING TALAQ

These are known as Kin'ayah Talaq or indirect indication of Talaq by way of similitude or metaphors. These largely depend upon the word play or gestures instead of using the direct words /phrase which stand for Talaq or divorce. These are mostly in Urdu idioms/phrase for which English equivalents are almost non-existent. It is necessary such phrases must indicate the intention of Talaq.

In the Book under study by way of translation, the terminology used is KIN'AYAH which stand `hint allusion, metaphor or nod in assent or dissent, we would, therefore use the word KIN'AYAH and the reader should accept it as an indirect Talaq.

The words of "Kin'ayah" are of three kinds. (1) In some, the allusion (idea) is to reject the point (of Talaq). (2) In some they seem to indicate vehement refusal in the form of abusing while (3) in some there is neither the allusion nor abuse. In respect of (1) (refusal) the intention (niyeh) is the criterion, without Intention (niyet) no talaq shall take place, while for (2) and (3) the mood of the speaker as the subject matter of discussion already in progress will be the basis or criterion of Talaq. (Note: To be fair, the Talaq by Kin'ayah is more or less the underlying idea behind these phrases expressed in different moods / gestures of the man concerned, while in final analysis lead to no other conclusion but to Talaq!.)

The word / phrases / idioms listed below relate to Talaq-e-Baa'in, which is affirmative or definitive in nature and the separation takes places without much a do translator. All these words are addressed to the wife whose hangs in balance. These are in stands or coarse lang sage of daily use, in Urdu but their English equivalents are given besides them.

(1) = Go (away)

(2) = Get off

(3) = Walk (off)

(4) = Get going

(5) = Rise up

(6) = Stand up

(7) = Be in veil (as stranger)

(8) = Push away

(9) = Leave the place

(10) = Vacate the home

(11) = Be away

(12) = Measure your way (go away)

(13) = Go you way

(14) = Blacken your face (an expression of utter disgust and contempt)

(15) = Be off (at once)

(16) = You are separated

(17) = You are no more in my company.

(18) = Go away

(19) = Hurry up to depart

(20) = You are separated from me.

(Note: These phrases/slangs run to a large number upto 64 in the book and it is said therin that many other words/phrases/idioms purporting Talaq-e-Ba'in which are recommended to be referred to for information a interest. These are pure Urdu idioms and phrases All which pertain to the central theme of Talaq/divorce. Even if they are reproduced and translated they will not add to the knowledge of the reader of this book in English, nor would be inclined to read the vernacular. There in the interest of such readers and to economise the length of the subject, the remaining material has been omitted. These are, however, available at pages 247 - 248 of the original Book " " (Qanoon-e-Shariat)

PROBLEM:- From these words of hints or allusion (Kinayah) one Talaq-e-Ba'in shall take place even if the intention (Niyat) is of two Talaq or no number, But if his intention is to give three Talaqs, then it will be so. However in respect of slave woman no more than two Talaqs are permissible.

PROBLEM:- There are certain specific phrases which if repeated verbatim will not result in Talaq, though the intention may be of Talaq. These are reproduced below with their English equivalents.

(1) (I have no need of yours)

(2) (I have no concern with you)

(3) (I have no work with you)

(4) (You have no concern with me)

(5) (There is no wish or desire with you)

(6) (You are of no service to me)

(7) (I have no desire/inclination of yours)

(8) (I do not want / love you)

PROBLEM:- The wife (having sexual contacts with husband) was given one Talaq, but in the course of Iddat, he tells it to be a Ba'in, then it will be treated likewise or if he says "Three", it will becomes Three Talaqs, But if he says so after the Iddat or after having gone back to her (to restore marital relations), nothing will come out of this. It will be meaniningless.

Entrusting (the right) the Talaq.

PROBLEM:- The man said to his wife, "You have right/authority or your affair is in your hand" and the intention behind this is to give her Talaq, then the woman can announce her Talaq in that meeting, however long the meeting be stretched. But once the meeting is over, to it changes the woman can not do any thing. If the woman was not present in the meeting or she did not hear it, then the verdict of that meeting will be accepted. If the husband fixes any time limit and that time limit passes even then the woman can not exercise that authority (of giving Talaq to herself!). The words spoken by the man must be specific and direct and not suggestive or by hint, because that would be Kinayah and in Kinayah the intentions is the primary condition. However if the Talaq would not be seen. If the husband, wants to withdraw his words, he can not do so in that meeting, but when he has gone the woman can give Talaq to herself. The right of Talaq exercised by the woman will be of Raj'ee nature, unless the woman gives Three Talaqs which was also the intention of the man, then it will be three Talaqs.

PROBLEM:- If the man does not fix the time limit and authorizes her to exercise the right as and when she desires, then the change of meeting will not affect her right, neither the man can withdraw his words.

PROBLEM:- If the man tells some one to give Talaq to his wife the Talaq will be effective whether or not the man (messenger) gives the Talaq in that meeting or later on. But he can to back to her (Rujo), if the Talaq was announced in the meeting indicated by the man. The man (husband) can take back the authority given to other man. The right of restoring conjugal relation is restricted to that meeting only. Talaq is not announced in that meeting, he can not go back to her.

PROBLEM:- If the man asks his wife to give Talaq to herself and the woman can announce in that very meeting and not later on. The man can also not go back to her.

PROBLEM:- The man asks wife to give Talaq (on his behalf) to his other co-wife, then she can do so any time, it is not restricted to that meeting alone and the man can also resume relations.

Conditions of change of the meeting.

The woman was sitting, she stands up, she was busy in some work, she leaves it undone and begins another work, for example, the husbands asks her to bring food, she falls a sleeps, start taking bath, starts doing some house hold purchasing, she climbs the riding animal, standing animal starts moving, in all these circumstances, the change in postures from one to another, constitutes a change of the meeting (majlis) and the right of exercising the right entrusted by the husband no longer remains valid.

In contrast to the above situations there are some other situations in which changes do not bring about change in the meeting (majlis).

If she was standing, she sets down. She was standing and starts strolling in the room, or she was sitting and takes a pillows to recline, she was reclining against the pillow, she sits straights or calls for her father and some one else for consultation or herself went to call witnesses so that she may give talaq in their presence when there is none who could call the witnesses or she was riding the animal and stops to give water/fodder to it, or she herself the food which was available. In all these situations no change in the meeting takes place.

PROBLEM:- The boat is in preview of home, if is starts moving, it will not amount to change of majlis. If one a person is riding an animal and the animal is moving, then it means that the change in meeting is taking place. However, if immediately the husband becomes silent and the woman responds, the Talaq will become effective. If however both the husband and the wife are both riding the same animal and some one else is pulling the animal, this will be in the context of boat and no change of meeting is taking place.

PROBLEM:- The man says to his wife `let your self assets itself (to exercise right of Talaq)' and the woman `yes I am asserting my self (will)' then the Talaq so given (asserted) will be effective.

PROBLEM:- The guardians of the woman want to take Talaq and the husband goes off saying to do what they liked, Now if the intention of the husband was not to entrust them for the Talaq, then it will not be a Talaq.

PROBLEM:- The husband says `Give yourself the Talaq', without mentioning the nature and the number of Talaq, then if the woman is Free (not a slave) then it will be one Talaq-e-Rajee or 3 Talaqs as the case may be, and in the case of a slave girl the maximum no of Talaq shall be Two.

PROBLEM:- It is said to the woman to give Talaq to herself as and what she likes, she is authorized to give Raj'ee or Baa'in. But after the change of majlis she can not revise her decision.

PROBLEM:- The man said to his wife "Talaq is on you if you (so) intend or like or desire or hold it dear" and the woman says in reply `I liked or intended' then Talaq will occur. However if the husband only said,"if it suits you". In reply if the woman `I liked it', it means Talaq has taken place, but if she says`I have kept it dear', no Talaq shall take place in that event.

TALEEQ (Mutual Relationship)

"TALEEQ" is an Arabic word meaning `having connection (Ta'alluq) of one thing with another', in a sense that if any thing is said to have connection with another thing then dependence of one must be a basis for the existence of the other as a proof of mutual relationship, though it may be in reality or it may be correct hypothetically. If the basis mentioned in respect of Talaq is such that the matter of Taleeq either in reality or through logic, then the Talaq will become effective automatically. To put a blame with the intention of harming or injuring one or the other then the object of Taleeq will be defeated. For example, if the woman calls her husband a mean fellow, where upon the husband replies, "If am a mean fellow, then Talaq is on you", then Talaq occurs even if the man may or may not he a mean fellow, because such utterances are not correlated. On the other hand they are meant for harming the other person. Here the man clearly means to tease the woman. (Note: Here follow a series of statements which are more hypothetical in nature than likely to happen in practical world of today. However readers interested in their informational significance may consul the original book at page 250 - Translator).

PROBLEM:- If the conditions expressing the connections / relation / familiarity (Taleeq) are withdrawn, no longer the familiarity (Taleeq) exists. For example, if the man says to his wife "If you talk so and the man, then Talaq on You", and if the so or so dies, the Taleeq goes off etc.

WORDS OF CONDITIONS

In Urdu the words of conditions are:

1. **If**
2. **When**
3. **AT which time**
4. **At all times**
5. **All**
6. **That, which**
7. **Whenever**
8. **On every, all occasions.**

PROBLEM:- When the condition is once fulfilled, no familiarly remains and Talaq takes place but when the first condition in repeated, the familiarly cannot be revived and as such the Talaq, will not take place. But by repeating the words/phrases of conditions three times, it will amount to Three Talaqs.

PROBLEM:- If he says, If I go to that house (indicating it) and if I talk to so and so person, it will mean Talaq to my wife. He goes to that house but does not talk to the indicated person, it will not mean the Talaq, even if he goes often times, but restrain himself from talking to the person concerned, the Talaq will not into effect, But if goes so many times, but talk only once, the Talaq will occur, it will be however only one Talaq.

PROBLEM:- Three Talaqs were hanging on the married but the man wants to take recourse to sexual intercourse, but the suspended Talaqs forbid him, If therefore, when he attempts

the intercourse and just the head of the penis enter the vagina, then the Talaqs takes place (the full intercourse) will be with a forbidden woman, which is haram. He must separate himself without delay.

PROBLEM:- He says to his wife, `if you do not come to me this night', there will be Talaq to you, "The woman comes upto the doorstep but does not enter the room the Talaq will occur. But if she enters the room and finds the husband asleep (and returns), Talaq will not occur. To come near means that if the stretches his hand, he can touch her.

The man calls his wife, but the woman did not go to him, there up on the husband warned her that if she did go near him, it will be a Talaq. Later the husband forcibly took her ! this will not mean Talaq.

PROBLEM:- The man says, `if you to so and so mans hand it will mean Talaq'. There after the man (concerned) died leaving behind inheritance (in which the man has a share?), now if she goes into that house, no Talaq will take place.

Istisna

Literally the word `ISTISNA' means `exception', exclusion or exemption, but in the lexicon of the Shariat it stands to say "Insha Allah" (If Allah wills) while undertaking any steps, It is to express reliance in the Providence. But in the context of `Talaq', he phrase `Inshaa Allah', has a special significance, and it is that the phrase must be spoken in continuance of intented statement (decision) without undue gap and in such a voice that others presence should hear it (the deaf are excluded). However it must be clearly born in mind that to say `Insha Allah' (if Allah wills) is to make the will of Allah conditional and shirking his own responsibility, as the problems (Masa'il) presented here clearly indicate.

PROBLEM:- He said to his wife `Talaq on you Insha Allah Ta'ala', This will not amount to Talaq, even if the woman dies before he says `Insha Allah'. If he says `Talaq on you' and dies without saying Insha Allah, although it was his intention to say it, it will amount to Talaq, which was intention before his death (but since he could not utter it, it will be taken as not having been said).

PROBLEM:- Said he to his wife, `Talaq on you, if Allah will or if Allah will not or any such phrase which indicate man's will on the condition of Allah's will power, intent etc., then no Talaq will take place (since his intention is conditional to Allah's assent which can not be ascertained by human beings - Translator)

On the contrary if he says Talaq to you on the Order (Am'r) of Allah, or with the Permission (Izn), or on the Will (Mashiyat) of Allah or as Allah has ordained (Qaza) or the intention (Iradah) of Allah or he utters Insha Allah before giving Talaq, in all these cases, the Talaq will not take place, as in them the intent of the man is assertive or it secondary subject to exceptions which all relate to Allah the Almighty.

PROBLEM:- While pronouncing 3 Talaqs if he takes recourse to Istisna in respect of one or two Talaqs, then this will be in order which means that whatever remains unaffected by Istisna will be affected by Talaq.

TALAQ of the Sick person

By the word `sick' is meant that person against whom it can be reasonably suspected that will not survive, because his sickness has incapacitated him for any manual work and sooner than later he would die.

PROBLEM:- When a patient of this type gives Talaq to his wife with the intention of depriving her of inheritance. This is known as "F'ar bit Talaq". (Necessary details of this kind of Talaq are being given later).

PROBLEM:- Any man fighting with an enemy (where he is likely to be killed) is also at par with a patient on the death, though he is not from any fatal disease. Similarly if a man is to be killed in ransom for a murder committed by him or he i to be stoned to death, or a man who has been attacked by a lion (or any animal) causing deep wound which may cause his death, or he is suiting in a boat which capsizes or gets broken and he is likely to be drowned, all these persons come within the definition of a "fatally sick" person. But when the cause of this imminent danger is removed and later dies for some other reason, his case

will no longer remain within this purview.

PROBLEM:- The patient acts for example, he puts his property in `Trust' (waqf) or gives it as a gift (hiba) or marries a woman on a Meher more than the amount of Meher-e-Misl (commonly in vogue in hi fraternity) he can exercise his authority only upto the one third of his property (maximum limit wander a wasiyat will).

PROBLEM:- A man gives Talaq-e-Raj'ee, but dies within the period of her Iddat, the woman will be the sole inheritor of his property, irrespective of the fact whether he gave the Talaq while he was in good health, with or without the consent of the woman.

PROBLEM:- He gives Talaq-e-Ba'in, while he suffering from a mortal /fatal disease, without the consent of the woman and dies within the period of her Iddat. In that event she will inherit his property, provided she is otherwise entitled to it being a mominah and Hurra (a believing and Free woman not a slave girl).

PROBLEM:- The law of inheritance of the woman becoming the sole owner of her husband's property when he dies in her Iddat is not restricted to death in mortal disease, it equally applies to other cases of separation (not necessarily Talaq) when the relation of marital bond get broken for other reasons, for example, when the man gives Baa'in to his wife on account of or he kisses the mother or daughter of the woman out of lust for denounces his religion. The separation or estrangement so caused will make the woman inheritors of her husband's property. However the estrangement/separation caused by any act on the part of the woman will not entitle her for example if she kisses the son of her son with lust or gives up the religion or receives Khula (separation demand and obtained the order of separation by from the court or any delegated authority). Similarly, if the separation comes on account of some other person, for example, if the son of the husband kisses the woman, even forcibly, then she will not be entitled, but if the son kisses the woman with the permission of his father, then in the latter event she will inherit the property.

PROBLEM:- The patient had given three Talaqs to the woman, there she returned apostate, and became Musalman again, now if the man dies, she will not inherit the property, even though the period of her Iddat may not be over.

PROBLEM:- The woman had asked for a Talaq-e-Raj'ee or a simple Talaq , but the man gave her Talaq-e-Baa'in or Three Talaqs and dies in her Iddat, the woman will inherit, Similarly if she gives Three Talaqs to herself which the man had approved, but he dies in her Iddat, she will be entitled. Or if the man has given the woman the right to divorce herself which the woman has exercised. In this case she will not be entitled to inherit.

PROBLEM:- The diseased man gave Talaq-e-Baa'in to his wife, but the wife dies in her Iddat, then he will not be entitled to her property. However, if it is a Talaq-e-Raj'ee, he will be entitled.

PROBLEM:- The woman was a patient person, but he committed some such act which caused separation with her husband for example and or she kissed the son of her husband etc and then she dies, now the man will inherit her property.

PROBLEM:- The man says,`If I fall sick, then it will he Talaq to you". He falls sick and the Talaq will take place, If he dies in her Iddat, she will be entitled.

PROBLEM:- After the death of her husband the woman says that he had given her Talaq-e-Baa'in in his mortal sickness, but he died while she was in her Iddat. Now she claims

inheritance to his property. But the inheritors contend her statement and say that he had divorced her when he was healthy, and as such she is not entitled to any inheritance. In such a situation, the statement of the woman shall be relied upon and accepted a correct.

Raj'at (To restore Marital Ralationa).

The literal meaning of the word is to go back return to former position place etc. But in the context of Nikah and Talaq it stands for the restoration of conjugal relation with a woman who has been given the Talaq-e-Rajee or Restorative Divorce during her Iddat on the basis and conditions of the original Nikah.

PROBLEM:- Raj'at is permissible only when the sexual intercourse has taken place with the divorced wife, without this restoration of conjugal relation is not allowed, even if he had for play with his wife in perfect privacy which means touching the woman with a feeling of passion or lust or he has simply cast his eyes into the private part of the body.

PROBLEM:- The Raj'at will not be effective if it is conditional on a thing or act which is not specific in nature or meaning, However to utter words of separation as a joke or by mistake, the Talaq-e-Raj'ee will take place.

PROBLEM:- Some other person spoke the woods of Raj'ee and the husband confirm it. The Raj'at falls due.

PROBLEM:- The correct procedure according to sunnat is that he must take recourse to restoration with a statement of clear meaning and to make two wise persons as witness to it and also inform the woman of his intentions so that she may not marry with any other persons after her Iddat. And if she marries, then separation with the other husband should be enforced. In the event of defective or incorrect `raj'at' the process should be rectified in presence of witnesses.

PROBLEM:- The man exercises the Raj'at but does not inform the woman who in the absence of the knowledge marries another man after her Iddat. The man's claim for `raj'at' will have to be examined, If found correct, separation with the second will be effected, even if the latter had intercourse with her. The words of Raj'at according to Urdu vocabulary are.

(1) =I restore my (conjugal) rights with you.

(2) =I restore my (conjugal) rights to my wife

(3) =I take you back (as my wife)

(4) =I have detained you (as my wife)

There are the clear words of Raj'at without any ambiguity, even if no intent is pronounced some other words in this context will justify (retortion) Raj'at, but they must be spoken with clear intention. On the words of Nikah, the raj'at will be justified.

PROBLEM:- In the matter of Raj'at willingness of the woman is not necessary. Even if she refuses, the Raj'at will stand unaffected.

PROBLEM:- The husband and the wife both agree that the Iddat has been completed, but there is difference between them about the Raj'at. One says that the Raj'at has taken place,

but the other desires it, in this the statement of the wife is reliable and there is no need for taking oath. If the disagreement has taken place during the Iddat then the husband's words are worth trust. If after the Iddat, the husband on the basis of witnesses that he had said during the Iddat that he had taken her back and that he had intercourse with her, this will confirm that Raj'at has taken place.

PROBLEM:- After the completion of Iddat the husband says that has done the raj'at during the Iddat and the wife corroborates this, then the raj'at stands as having taken place. However, if she denies, then there has been no raj'at.

PROBLEM:- The woman whom her husband has given less three Talaq Ba'in can come in his Nikah even during the Iddat as well as afterwards. If he has give three Talaqs he can not marry her without halala (Please see next problem). She can not marry another man without completing her Iddat, whether she has been given three Talaq or less.

PROBLEM:- The condition for Halala is that if the woman who has under gone sexual intercourse, should marry another man after the completion of Iddat in the according Islamic tenets and after having sexual intercourse with the second man secures Talaq from him and again completes period of Iddat, can re-marry her first husband.

However if the woman had no intercourse with her husband and the latter gives her Talaq in that condition, then she can straight away marry another man of her choice because there is no Iddat for a woman who had no sexual intercourse.

PROBLEM:- In reference to Halala the basic point is that the woman must have sexual experience which makes the bath as obligatory which means that at last the penetration of the head (hashfa) of the male orgain in her private part, should be accomplished, emission of semen is not a condition.

PROBLEM:- After marrying a woman under an defective / incomplete Nikah, if the man gives three Talaqs to her, he can marry her again without the intermediary agent of Halalah.

EELAA.

Eelaa in shariat's tenets means the statements on oath by the husband in respect of his wife that he will not go near her (for sexual union) or he swear that he will not meet her sexually for four months. If the wife is a slave girl then the Iddat of Eelaa will be for two months. The swearing in Eelaa is of two kinds (1)The swirling or oath in the Name of Allah the Almighty, His Attributes or the Holy Quran, the others (2)Kind of oath is of relative or conditional nature, for example, he says, `If I commit sexual act, then my slave is freed' or my wife is divorced or keeping fast for so many days or performing Haj is binding on me.

PROBLEM:- Eela is of two kind (1) Eelaa-e-Muwaqqat (of limited period) the duration of which is four months and (2) the other is Eelaa-e-Mu'bad (timeless Eelaa) in which there is no time limit of four months. In either case he commits sexual intercourse within four months, the oath shall be deemed as broken or violated (even if he be a lunatic) and Kaffara (compensation) shall be due on him and the thing on which the oath was taken will be taken as having occurred, such as freeing the slave or keeping fast etc. On the other hand if he does not her does not meet her sexually even after the expiry of Eelaa-Iddat, it will mean a Talaq-e-Baa'in on the woman which would demand a fresh Nikah, but the oath shall still stand. If the process is repeated three times then without Halalah be can not re-

marry her. (Note: Here again the process is ultra complex and needs deep and careful study, the interested readers may see the details at pages 256 - 257 of the Original Book in Urdu `Qanoon-e-Shariat'. Translator)

PROBLEM:- Eelaa can be done only with his wife or the wife under the Talaq-e-Raj'ee who can reunite with her within the Iddat, and as such she is also a wife in this context.

PROBLEM:- Another condition for Eelaa is that the husband able to give Talaq. Therefore the Eelaa by a minor or mentally deranged husband is not valid, it is also necessary the duration of Eela should not be less than four months nor should a particular place be fixed for the Eela purporting thereby that he would meet her sexually at such and such place, it is also necessary that he should conjoin a slave girl or a stranger woman as part of Eelaa.

PROBLEM:- Some words of Eelaa are self expressive (sareeh) while some words are illusory or suggestive (Kinayah). The words in the first category (sareeh) leave no doubt in the mind that the intention behind the speaker's mind is sexual union with the wife. In this case the expressed intention (Niyet) is not necessary, without Niyhe Eelaa can take place. The words in the Kinayah group (illusory) may also carry meaning other than sexual act. In the event of Kinayah no Eelaa can take place without the Niyet.

PROBLEM:- If he says to his wife that if he has sexual contact with her she will be har'am (forbidden) to him and the intention (niyet) is of Eelaa, then Eelaa will occur.

PROBLEM:- IF he makes the meeting his sexually conditional upon such things which are not likely to occur within four months, then this will amount to Eelaa.

PROBLEM:- He has done Eelaa and wants to break the oath within the time limit, but he is unable to do so because of his physical in capacity for any reason to have sexual intercourse with his wife and the wife herself is unable/unwilling to allow this fulfillment, then in such a case he should withdraw Eelaa by words of mouth, preferable in presence of witnesses, in this way Eelaa will come to an end and not Talaq will occur. If however the physical cause of incapacity to sexual union is removed, then his verbal termination of Eelaa will not be enough, he must his wife sexually and fulfill the primary condition of ending of Eelaa.

PROBLEM:- In the case of incapacity of sexual union for any reason, the intention of re-union must be expressed in words, mere desiring at heart is not enough.

PROBLEM:- There is no substitute for the natural sexual intercourse, merely kissing with passion or touching her body with lust or looking at her private part or commit sexual act at any other place will not fulfill the condition of Raj'at as a condition for breaking Eelaa.

PROBLEM:- Sexual intercourse during menses is a grave misdeed, however the Eelaa will be removed.

PROBLEM:- If difference arises between the husband and the wife during the Eelaa, the statement of the husband should be accepted. When in this event, the wife is proved liar, it is not advisable to keep the woman, she should be separated by giving her some relief.

PROBLEM:- The man says to his wife that she is haram on him, if the niyet is of Eelaa, then it is Eela, if the niyet is of Zihaar, then it is so. Otherwise it is Talaq-e-Baa'in, if the niyet is three Talaqs, it is so. If the woman says to her husband, "I am haram on you", then amounts to an oath. Now if the husband forcibly or with the consent of the woman has a sexual intercourse with her then the woman will have to pay the Kaffarah.

PROBLEM:- IF the man forbids his wife as haram on him like the corpse (dead body), the flesh and blood of the swine, wine, then if the idea is to show his dislike as something false, then it is the he or false hood or if the intention is to brand her haram on him then it is Eelaa and if he has Talaq in his mind, then it is Talaq.

PROBLEM:- The husband says to his wife, `You are my mother', and the intention is to speak of her as being haram, then she will not be haram rather, it is a lie.

KHULA

KHU'LA: The word `Khula' literally means throwing off, deposing, removing from office. But in matrimonial philology it stands for a divorce obtained by a wife for a ransom by her or some other person on her behalf. It means to waive or write off the Nikah in exchange of something, money or material etc. The consent of the woman is essential without her agreement Khula will not be valid. The terms/pattern of Khula have been set down and can not changed materially.

PROBLEM:- If there is constant strife between the husband and the wife and there is danger that they can not peacefully and according to the tenets of Islam, then "Khula" is the solution which means arranging separation between man and wife. The Khula in this respect will be Talaq-e-Baa'in and whatever the amount has been agreed will have to be paid by the woman.

PROBLEM:- Whatever is accepted as Meher can be exchanged for the Khula, but a thing which is not acceptable as Meher can be accepted in the `Khula'.

PROBLEM:- Khula holds the right of the man for a Talaq-e-Baa'in subject to the woman acceptance of the terms of khula, meaning there by if the woman agrees to the pay the amount to the man, separation between them will be effected as if on the basis of Talaq-e-Baain by the man. Therefore if the utters the words of Khula which has not yet accepted it, the man has no right to go back to her (Raj'at), neither has he nor with the change of majlis (where the proceedings are taking place) invalidate the Khula.

PROBLEM:- `Khula' is the instrument in the hand of the woman to get herself released from the bondage of her husband. Then fore if she has begin the proceedings of Khula which the man has not yet declared his acceptance, the woman can and get the stay of Khula (in a sense, it is Rujoo by the woman) for three days or even more.

PROBLEM:- Since Khula is the compensation to be received by the woman, it is essential that she understands the terms of Khula and if she gives consent without understanding it clearly, the Khula will not be valid.

PROBLEM:- Since Khula is the Talaq by the husband it is necessary that the husband be adult and of sound senses, a lunatic or underage can not exercise the rights of Khula. It is necessary as a precondition that the woman must in a state of the Talaq being given to her. Therefore if she has been given the Talaq-e-Baain, no khula can take place with her, even if she be in Iddat. However if she is in Iddat of Talaq-e-Raj'ee, Khula in this condition will be valid.

PROBLEM:- The man says to his wife that he has done Khula, but does not mention the

amount in this behalf, it will not be a khula, it will be a Talaq for which the woman's consent is not necessary.

PROBLEM:- The man said to his wife, `I have done Khula with you on so and so amount', But the woman says only `Yes'. This is incomplete and the khula will not place unless `I accept it' or `I declare it as approved.' Similarly, if the woman demands one thousand rupees in pursuance of the Talaq and the husband agrees. This also is not correct. But if the woman says that Talaq is on her in exchange of a Talaq. Then Talaq will take place.

PROBLEM:- Whatever the rights/privilege are agreed upon at the time of Nikah shall stand withdrawn on the khula. But whatever the rights are beside those mentioned acceptance of in the nikah, will remain unaffected. The right of maintenance, although a part of nikah, will remain, unless it is mutually agreed by both as a condition of khula.

PROBLEM:- The man gave Talaq Baain and married the same woman and then had a khula with her on the meher as ransom money for khula. In such a case the second meher on which the khula was agreed will lapse while be first meher will stand.

PROBLEM:- A `Khula' was agreed with the wife that she will arrange another marriage with some woman and that she will pay the Meher. In this case the woman will have to return the Meher she has received from her husband and nothing more.

PROBLEM:- I `Khula' is agreed on haram things (like swine some dead animal, blood and wine) which do not come within the purview of Amount (on which Khula takes place on mutual acceptance), it will not be Khula but it will be Talaq-e-Baain and nothing is due from the payment, If the Talaq is given on these things, then it will be Talaq Raj'ee.

PROBLEM:- It is said to the woman,`I make Khula with you' and the woman `I accept it.' If the husband had said these words with the intent of Talaq, then it will be Talaq Baain and the Meher will not lapse. Even if the woman does not accept, the position will not change. If the husband had not said these words with the intent then the Talaq will not take place unless the woman agrees. If after the acceptance by the woman, the man says my aim was not Talaq then the statement of the husband will not be accepted.

PROBLEM:- Khula can also take in the parlance of trade business. If the man says `I sell your Talaq to you at so and so price', and the woman announces in the same sitting, `I accept it,' Then the Talaq will occur. Similarly if the Talaq is said at the cost of meher and she accepts it, then in that event it will be Talaq-e-Raj'ee.

PROBLEM:- The people asked the woman if she had purchased her person (self freedom) at the cost of the meher and the amount of maintenance due to her on Iddat from the husband, she replied in the affirmative, Then they asked the husband if he had sold the same as stated by the woman. On affirmation by both sides, the khula was declare as having taken place and the man had become free from all liabilities.

If after the occurrence of Khula the gathered and asked the couple to repeat the same words as they has spoken earlier, Now the husband does not fully agree with the translation, stating that he though some material business deal was taking place. Even then the verdict shall be as Talaq from the husband.

PROBLEM:- The husband asked his wife if she had purchased three talaq from him in exchange of her meher. The woman simply said that she had purchased with the insufficient statements talaq will not take place unless the man said after this that he had sold.

Now if the husband had said in the first instance that the woman purchased three talaqs from him in exchange of the Meher and the woman confirmed this, then the Talaq can be said to have taken place even afterwards the husband did not speak the word of `sale'.

PROBLEM:- Talaq was given in exchange of some amount and the woman confirmed this. Now the amount will be due and Talaq Baain will occur.

PROBLEM:- The husband and wife are both walking together and while talking the khula was agreed between. If the words spoken between them, conjunctive (with out break in the conversation) then the khula is in order (valid) otherwise neither Khula nor Talaq will take place.

ZIHAAR

ZIHAAR: The word of `Zihaar' stands for a similitude or likeness or similarity of his wife or any part of her body to the body or part of the body of other woman who or whose sight (looking at) is forbidden or haram for ever, For example he says to his wife, `You are like mother' or `your head, neck' or `your half is like the back of my mother'.

PROBLEM:- The woman to whom similitude has been alluded if her being haram is of a temporary nature not permanently forbidden, then his declaration of likeness (Zihaar) will not take place for example the sister of his wife or the woman who has been Three Talaqs or a woman belonging to the community of the Magi (majoosi / fore worshiper) idolaters christian etc who is already attached to a community of believing in Gospels/scriptures or may convert to Islam and as such, they are permanently haram.

PROBLEM:- IF the man says to a stranger woman, `If you be my wife or you are like so and so' then this will amount to Zihaar.

PROBLEM:- IF the woman utters words of `Zihaar' to her husband, this will not amount to Zihaar.

PROBLEM:- To express similitude or likeness in respect of woman who are permanently haram referring to their parts of body which by themselves excite passion such as back, belly or thigh or if he says to his wife, `I have done Zihar with you', all these are expressly words of Zihaar whatever the intentions of the speaks, even by way it is Zihaar pure and simple, no explanation or interpretation the man may give.

PROBLEM:- To call wife, mother, daughter or sister is not Zihaar, but it is detestable (makrooh).

PROBLEM:- `Zihaar' by Taleeq (conditional assouation) is also possible, For example if he says to his wife, `If you go to the house of so and so woman, you would be like her', then it will be Zihaar.

The imperatives (tenets) in connection with Zihaar are that before the fulfillment of Kaffarah (compensatory obligations), he can not have sexual relation with his wife nor can he kiss his wife with lust, touch her or look at her parts of shame. These are all haram. There is no harm if he kisses or touches his wife without passion or lust, (but this should be avoided as it might leed to excited passion etc). To Kiss the lips even without passion is not

permissible. If he commits sexual intercourse before payment of kaffarah, he should offer sincere repentance (taubah), however there is no additional Kaffarah for this lapse.

THE KAFFARAH (ATONEMENT) OF ZIHAAR.

If the man doing Zihaar has the intention of resuming sexual union with the wife (now under Zihaar) then he muse fulfill the commands relating to Zihaar. However if he is not inclined to have no sexual behaviour and would like the woman to be haram on him, he will not be obliged to do the Kaffarah. If he had the sexual intentions with her, but before fulfillment of Kaffarah the woman dies, now no Kaffarah remains due on him.

The kaffarah of Zihaar consists unfreeing the slave girl / man. If he is unable to do this, then he muse keep fast, for two consecutive months before he has sexual intercourse with her. IF he is unable to keep fast for two months, the alternative is that he feeds sixty indigent people.

PROBLEM:- As for the fasts in this behalf it is to be kept in view that they do not fall in the period in which the month of Ramzan the two days of Eids and One Days of Tashreeq (9th to 13th Zilhaj) occur. However if he is to undertake journey, then with intention of Kaffara he can keep fast in Ramzan, but in the Forbidden Days (see above), even the traveler can not keep fast.

PROBLEM:- If he breaks the continuity of Kaffarah fast of having sexual intercourse with the woman with whom he has done zihaar, or he breaks the fast by mistake or willfully, he must keep the two months fast from the beginning] to abide by the primary condition in this behalf that the fasts must be kept at a stretch for two months. Therefore the fasts kept before breaking the continuity will go unaccounted.

PROBLEM:- If he is unable to keep fast because of sickness and there is fear that he will not recover fully to undertake fast or because of old age, then must feed sixty indigent people with square meal for two days or twice a day, under the condition that he is not likely to recover during the required days of fasting, (The feeding of the poor people will be undertaken when the question of health is in question), otherwise the feeding will be counted as Sadaqah Nafil and fasts will have to be kept a fresh. It must also be kept in mind that the feeding should be given to the same group either two consecutive days or twice a day. If the person are changed then this mode of Kaffarah will not be valid.

PROBLEM:- IT is also the condition that among the people so fed none is underage (na baligh) unless the same person is made holder of an adult's quantum of average food.

PROBLEM:- If is also permissible that each person be given the grain (wheat or maize) equal to half of the saa, in the same way as Sadaqah Eid ul Fitr is given to the deserving people. It is also permissible that food to these sixty people be served in the noon meal and the cash value of the food for evening meal. Or give them food for two days in the noon or two days in the evening, or he feeds thirty people with food and given the price of food to the remaining thirty. Whatever the method may be added the number of sixty indigent people must be completed.

PROBLEM:- The Kaffarah can also be fulfilled if the same poor man be given for sixty days or given daily the amount of money paid as Sadaqah-e-Fitr.

PROBLEM:- In Zihaar it is essential that before resuming sexual contact with the woman the feeding of the indigent be completed. If however before feeding sixty people he has sexual intercourse, thought this is haram and should have been avoided, but to what ever number of people he has given food will not go waste. He should feed the remaining people to fulfill the kaffarah of zihaar. It is not necessary to feed the sixty persons again.

PROBLEM:- If the man against whom Kaffarah was due, dies and his heirs feed the people, it will be valid, but if the slave he feed, it will not fulfill their condition.

LIAAN.

If the husband charges his wife of adultery then to settle the issue the process known as Liaan will be undertaken, when the woman concerned is wise, adult, Free (not slave), believer and chaste.

The procedure of LIAAN is as under:

The proceedings shall take place before the Qazi

(1) First the husband will make the statement on oath that his allegation of adultery against of his wife is correct and I am truthful in my allegation. He will repeat his statement four times.

(2) On the fifth he will declare, "Allah's curse be on me if I am making a false allegation of adultery against my wife". On all occasions when he speaks about his wife (as "this woman") he must expressly point towards his wife.

(3) Then the woman will give evidence, saying, `I give evidence on an oath in the Name of Allah that the allegation of adultery leveled against me by this man (pointing at her husband) is false and he is a liar, she will repeat her statement four times.

(4) On the fifth time she will declare, "Curse of Allah be on me if what he alleged against is true".

In the process of Liaan the word `I give evidence' (Shahadat) is essential. Any substitute phrases such as I swear by Allah that I am right (truthful), will not do the needful, and the Liaan will not be as established.

PROBLEM:- There are certain condition in connection with the `Liaan' (1) Nikah is correct and in according to prescribed pre-requisite. (2)The relationship between them is established as husband and wife whether sexual intercourse has taken place or

*not. (3) both should be free (4) both should possess normal sensibility (5) both should be adult (6) both should be Musalman (7)both are capable of clear speech (i.e. not dumb) (8) on none of both should there be an allegation/accusation of in the past (9) The man has not produced witness on his statement (allegation) (10) the woman refuse the allegation of adultery and declares herself as chaste (11) The false accusation clearly pertain to adultery or he does not own the born to his wife as his (12) The accusation has taken place in Darul Islam (Muslim country) (13) The woman should demand this from the Qazi (14) The husband confesses of having accused his wife of adultery. It is not necessary that the woman should stand before the Qazi.

PROBLEM:- Even if the accusation of adultery has been leveled against the woman more than once, the proceeding for Liaan shall be instituted only once.

*: It means that if after giving Talaq Baain the accusation has been brought forth, no Liaan can take place, even if he has remarried the woman after giving her Talaq.

PROBLEM:- There is not time limit for the execution of Liaan, which mean that if the woman does not lodge a complaint, the process of Liaan shall not be dropped, the woman can claim redress of her grievance at any time, Liaan is not forgivable. For example, if the husband has charged her of adultery and the woman for gives him. But if at some later date she approaches the Qazi (court) for enquiry about the accusation, the Qazi will have to order the probe. However if the woman does not demand enquiry, the Qazi can not initiate action on his own. Similarly, if the woman has accepted some money and forgiven the husband, she can still demand fresh enquiry by returning the amount, she has received. But it is advisable for the woman not to publicize the affair as it is likely that it may injure her reputation, The Qazi too should cover up the accusation and not make it public.

PROBLEM:- When man addresses his wife `O adulteress' or `You have committed adultery' or `I have seen you committing adultery' all these words indicate clear accusation and come within the purview of `Liaan'. But if he says that she has committed haram deed or she has been subjected to sexual intercourse in a haram or forbidden manner or some one has committed sodomy against her. Then this will not amount to Liaan.

PROBLEM:- The institution of enquiry against Liaan mean that after its completion, the woman becomes haram for the man to commit sexual intercourse, but she remains in the nikah of the man till the concerned authority annuls the marriage bond and orders separation of the two. Now the woman becomes as given Talaq-e-Baain. Therefore if after Liaan the Qazi does not cause separation, he can divorce her as well as do the Eelaa and the Zihaar and if any one dies the other will inherit the deceased's property / belonging. If after Liaan they do not agree on separation the parting will have to take place.

PROBLEM:- IF still they don't separate, they can not commit sexual act of any nature, it becomes haram. And when separation takes place, she will be entitled to the maintenance of Iddat and the house to live in further, if she gives birth to a child during her Iddat, the child will be attributed to her husband.

PROBLEM:- IF the husband accuses his wife calling her `O adulteress! Three Talaqs on you'. This will not amount to Liaan but false accusation against chastity (Hadd-e-Qazaf), or he says `O adulteress, three talaqs on you', then this neither Liaan nor Qazaf.

PROBLEM:- If the man says to his wife, `I did not fine virgin', this too is neither Qaza nor Liaan.

IMPOTENCY (IN'NEEN)

The man suffering from impotency is known as In'neen and by this is meant is the person whose male organ (penis) is there but it can not to penetrate the front part of the woman or he can have sexual intercourse with some woman and not with other , or he can do sexual act with a non-virgin (having undergone sexual experience) and not with a virgin. Then in

respect of those women with whom he is sexual incapable, he will be treated as impotent, and not so with other. There may be different reasons for this impotency.

1. The defect maybe natural or inborn.
2. Due to some disease.
3. Oldage or senility
4. As a result of magic or sorcery done on him.

PROBLEM:- If he can penetrate only the head of the his penis, (hashfa) then he will not be called impotent and if the head is cut and the can insert the penis at least equal to size of the hashfa (head of the male organ) even then he will not deemed impotent. If the woman cuts the male organ of her husband, the no order will be issued in respect of the `penis imputed husband.'

PROBLEM:- If the male organ and the testis or only the organ has been cut from the root or it is too small for a satisfactory sexual intercourse and the woman wants separation, then the separation shall be effected provided is independent (not slave), adult and she had no knowledge of her husband defect, nor she had agreed to overlook this at the time of Nikah. If the woman is slave, then she has no will of her own, but her master has this authority. If she is underage (minor) then she will have to wait till puberty. Then an reacting that stage if she is willing to live with him, well and good, otherwise separation shall be arranged. IF the organ is cut at the roots, then it will not asked whether his adult or adult.

PROBLEM:- The immature (underage) girl was given in marriage by her father. If the girl finds her husband as penis imputed, then her father has no right to demand separation till the girl herself attains puberty (and makes her own case).

PROBLEM:- If after a sexual intercourse the man organ is cut or he becomes impotent, then separation can not be claimed nor given.

IN THE EVENT OF IMPOTENCY.

The sahrait juris prudential position in this behalf is that when the woman approaches the Qazi (to seek separation), the Qazi at first will ask the husband, if he a confesses, the Qazi will give him one year's time for improvement of his capability. If within one year the husband is able to have intercourse, then the demand / claim of the woman will be void. However if the man did not have intercourse and the woman wants separation, the Qazi will ask the man to divorce her, if he divorces, well and good, other wise the Qazi will order and enforce separation.

PROBLEM:- The woman approaches the Qazi with the complaint that her husband is impotent, while the man says that he has sexual intercourse with her and she is not a virgin. The Qazi will ask the man to state the truth on oath. If he takes oath, then the claim of the woman will collapse. If the woman still insists that she is a virgin, then she will be examined by a woman, (it will be better, if two women examine her), if the woman is found non virgin (having undergone sexual intercourse)then the man statement should be accepted after getting on oath from the man. If the woman declare her virgin then the woman claim will be accepted as true without any oath from her. In case of difference between the woman, some other reliable evidence will be obtained to decided the matter.

PROBLEM:- After the lapse of (one years) time the woman claims that the man did not have

intercourse with her while the woman insists that she is still virgin, in that event the method referred to above shall be applied. Normally if the man says on oath to have intercourse with his wife, this should be accepted.

PROBLEM:- Separation on the order of Qazi will be treated as Talaq-e-Baain. If the marriage has been consummated then the woman will get full meher and she will sit in Iddat, otherwise she will get half the meher without sitting in Iddat.

PROBLEM:- If the man suffers from other disease(s) other than sexual disability, such as lunacy, leprosy etc or if the private parts of the woman is closed, then the cancellation of the marriage can not be entertained.

PROBLEM:- The husband commits sexual intercourse with his wife, but for some reasons he has no or sperm to effect emmision (Inzal) The woman in such a condition has no right to demand any thing (on this account, separation/compensation etc).

Iddat

IDDAT (The waiting period of a divorce or widow).

Iddat has been defined as the waiting period for a widow or divorced. In sharait terminology it is the waiting period for a woman when her NIkah with a man is no more extant for one reason or the other, The waiting period means that after the cessation of nikah the woman has to restrain herself for another Nikah till the prescribed period is over.

PROBLEM:- The Iddat begins after the annulment of Nikah by the woman whose husband has expired or a separation takes place between them provided the marriages was consummated by the sexual union. There is no Iddat for an adulteress, though she may be pregnant, she may marry with the man with whose sexual contact, she was rendered pregnant. If she marries with another man then no sexual intercourse is permissible with him till the birth of the child.

PROBLEM:- In an unlawful or faulty Nikah (Nikah-e-Fasid) if there is separation prior to the intercourse, there is no Iddat but after the sexual intercourse the Iddat is necessary if separation between them takes place.

PROBLEM:- There is no Iddat for the divorced woman whose place of shame is close, although she may have had sexual contact.

PROBLEM:- The woman is given Talaq, rajee or baain or the nikah is annulled for any reason, and sexual intercourse has taken place, but the woman is not pregnant at present and she gets menses, then the period of Iddat is passing of three menses.

If the woman does not get sense because of being underage or she has reached the age of dryness (ceased to have menses due to oldage) or by the number of years she has reached the age of puberty, but does not have menses, then in all these cases the term of Iddat is three months. (If she is a slave girl, the period is one and a half year.)

PROBLEM:- If the Talaq or the cancellation of Nikah takes place on the first of the month, then 3 months Iddat shall be taken into account according to lunar calendar and if it is some other date, then the month of 30 days or 90 days in all shall be taken for the Iddat.

PROBLEM:- The woman has had the menses but now she does not have it and she has not reached of dryness (of menses) then the term of Iddat is according to the number of menses, Therefore she has three menses or reaches the age of dryness, her Iddat will not be over. And if she did not have menses before, but after the commencement of Iddat she gets the menses, then the term of Iddat shall be three menses.

PROBLEM:- If the Talaq is given in state of menses, this menses will not be counted in the three menses for Iddat. After the present one 3 more menses should pass to complete the term of Iddat.

PROBLEM:- The woman who has been married on an incomplete or faulty nikah (Fasid) and she has undergone sexual intercourse or the woman with whom there has been nominal or pseudo intercourse, the Iddat of both shall be counted on the separation and death (as the case may be) on the basis of menses. If no menses takes place, the Iddat shall be of three months duration.

PROBLEM:- The woman with whom an underage boy commits intercourse or she has only apparent co-habition or on a wrong and illegal nikah, the same Iddat will apply. If the intercourse took place while the boy was underage and on reaching adulthood he divorce her, the same term of Iddat shall also be applicable in this case.

PROBLEM:- In the event of faulty (fasid) nikah the Iddat shall take place from the date of separation or the date when the man abandoned intercourse on his own admission.

PROBLEM:- The Iddat on account of Talaq is from the date of the Talaq whether the woman is aware of this or not. If she comes to know after the passing of three menses then the Iddat will be deemed to have already taken place, or if the man mentions any particular date (of Talaq) then the Iddat will be counted from that date.

PROBLEM:- The Iddat on husband death is four months and 10 days (including the 10th night) when the nikah was lawfully complete and correct, whether or not the intercourse had taken place and whether the husband or wife was underage (minor).

PROBLEM:- If the woman is pregnant, then the Iddat will last till the delivery of the child.

PROBLEM:- For the Iddat on the delivery of the child, there is no time limit fixed. The Iddat comes to an end as soon as delivery takes place when she was in Iddat on account of death or Talaq by her husband, even if the delivery takes place just one minute after the Talaq or the death. In the case of abortion if the limbs of the child have been formed, the Iddat will (immediately) takes place. If twins or triplets are born the last born will mean the end of Iddat.

PROBLEM:- The was given Talaq Raj'ee but th man died during the Iddat the woman will now to complete the Iddat of death. The Iddat of Talaq will lapse.
(Note: I have omitted the case where in it is stated, if pregnancy takes place of the husband. In my opinion this will last suspicion about the woman character. The sperm is the seed of pregnancy. How can seedling take any time for its getting roots in the lamb. This may be examine - Translator.)

In any case of Iddat whether on account of death of the man, or formal talaq or the one based on pregnancy and delivery or three menses whatever term is in process, full term will have to be completed, specially the last phase of Iddat.

THE MOURNING (SOAG).

The Holy Prophet (Allah's grace and peace be upon him) has said that `any woman who believes in Allah and the Day of Judgment should not mourn the death of a person for more then three nights except for the bereavement/demise of her husband which should be for four months and ten days. She should not wear colored clothes except the clothes which is dyed by tieing it will threads before spinning into a cloth, she should not apply collyrium (surma) to the eyelids nor tough any perfume but she use very mild perfume after the purification bath of menses. Hina is also forbidden.

Mourning means that she must give up wearing ornaments, jewels, gold, silver, silken clothes, nor apply perfumes on the clothes or the body ,even if it be a odorless oil nor comb the hair. The clothes in hues of saffron, giru red etc should also be avoided.

PROBLEM:- However she can wear old and worn dress of fading colours as well as the clothes of black colour, provided it is not silken or other fibers which resemble silk and shining.

PROBLEM:- In case of head-ache or pain in eyes she can apply hair oil or collyrium for relief from pain.

PROBLEM:- Mourning is by the adult sensible Muslim woman when Iddat is due to the death of the husband or on account of Baain Talaq.

PROBLEM:- If the marriage is dissolved due to the impotency of the husband, there is Iddat and in Iddat mourning should be observed.

PROBLEM:- The woman can observe mourning of some close relative, the husband may not allow mourning in sympathy of another woman who husband has died.

PROBLEM:- To wear black clothes in sympathy of some one's death is not permissible, but the woman mourning the death of her husband can wear black clothes but not for more than three days. However, if there is mark of display, the black clothes can be used for the entire period of mourning.

PROBLEM:- To send a clear and open message of nikah to a woman who is in Iddat is haram. However in the case of Iddat of death a guarded and suggestive message can be sent, but not in any other kind of Iddat.

PROBLEM:- A woman in Iddat on account of Talaq Raj'ee or Baain or separation on Khula etc, should not go outside her house. An underage (minor) girl who is in Iddat on account of Rajee Talaq can go out with the permission of her husband, and in the case of Baain Talaq she can go out without the permission.

PROBLEM:- In the event of incomplete/faulty (fasid) nikah, she can go out in Iddat, but the husband can check her.

PROBLEM:- She can not change her house during Iddat, even if the house is a rented one. The rent of the house during her Iddat is to be paid by the husband. IF the husband has gone out and she can pay the rent even then she must stay in this house.

PROBLEM:- In an Iddat of death the woman can be allowed to go out during the day time to earn her livelihood if there is no alternative for her subsistence. But she spend the nigh at home.

PROBLEM:- The woman should complete the term of Iddat in the same house in which she was living at the time of separation from her husband or at the time of his death, unless there is some such serious matter over which she has no control and she is compelled to leave/vacate the house.

PROBLEM:- The woman has gone to her mother house or else where when the husband gave her Talaq or he died. In that event the must return to be house without delay.

PROBLEM:- In the event of Talaq Baain there should be a screen between the husband and the wife if both have to stay in the same house (in the Iddat) as she has stranger to him, If the space available is too limited and insufficient to keep them separate during the Iddat, then the husband should stay outside for the time being. But the woman should not be

turned out. In the case of Talaq Raj'ee no screening between them is necessary even if the husband is an impious and worthless fellow.

PROBLEM:- The same provision are applicable in respect of Three Talaqs as in the case of Talaq-e-Baain.

PROBLEM:- The husband can not take the woman out on journey during her Iddat even if it is on Iddat of Talaq-e-Raj'ee.

PROBLEM:- The commands for the Iddat of Talaq Rajee are the same as are for the Talaq-e-Baain, but there is mourning in Talaq-e-Raj'ee. If the woman is given Talaq Rajee in the journey she will remain with the husband and in the journey in some other direction, she can not go with him.

FAMILY IDENTIFICATION OF THE CHILD

(Saboot-e-Nas'l)

The child belongs to him whose wife is she and for the adulterer are the stones.

PROBLEM:- The duration of pregnancy is minimum six months and the maximum two years. Therefore the woman who is in Iddat of Talaq-e-Rajee, but has not confessed the fulfillment of the Iddat. If the child is born during this period, this is the confirmation of the child's identity as being the son of wife's husband (his legitimate parents). If she admits the completion of her Iddat but the duration of Iddat is so prolonged that full Iddat could he completed in it and the child is born within the six months period of her admission (of Iddat) then it is the proof that the child belong to the, although it shows that the woman admission (Iqrar) of her Iddat was wrong. This also proves that the husband had resumed conjugal relations within the Iddat of Talaq-e-Raj'ee, provided the child is born after two years or more after the Talaq. If the child id born in less than this period, then the husband's resumption of husbanding rights is not established as it is possible that the pregnancy is before the Talaq. And if the child is born in less than six months time form the time of admission of her a Iddat. Then the legitimacy of child's parentage is established otherwise not.

PROBLEM:- If the woman was given Talaq-e-Baain the child is born within two years of Talaq, then the legitimate parentage is established. If however the child is born after two years, the rightful parentage will not be proved. But if the husband claims that the child belongs to him, then this will be accepted. Or if one child born within two years and the second child afterwards, then the parentage of both the children will be proved.

PROBLEM:- If the child is born within six months of the Nikah, then the child will not be taken as legitimate. If however, the birth takes on after six months time of the nikah, then it will taken that the parentage is correct or legitimate when the husband keeps quiet or does not admit. And if the husband says that no child is born, then on the evidence of another woman, the birth of the child will be taken as true. Similarly if the husband admits the pregnancy or the latter is apparent, then the Talaq is established, but for the legitimacy of parentage, only the statement of the woman giving delivery is enough. In case two deliveries take place one within six months and the other on or after six months, then the parentage of both the children will remain unproved.

PROBLEM:- If the child is born within two years of the husband death, no parentage with

him will be established otherwise not.

PROBLEM:- On the birth of the child the woman says that six months or more than six months time of nikah has passed, while the man says that six months have not elapsed, then the evidence on oath should be taken from the woman and her statement should be accepted. To disprove this, if the husband or his successors desires to produce witnesses, then they should not be listened to.

PROBLEM:- A man commits adultery with a woman and latter marries her, if the child is born in six months or more the parentage will be accepted, and if this birth is in less then six months of marriage, its parentage will not be established even if the husband claims the child as his from the illicit intercourse with the woman.

NOURISHMENT OF THE CHILD.

Nourishment of the child is the right of the mother whether she is in nikah or out of it. However if she has rejected her faith and become apostate, then she can not nourish/take care of the child or if she is involved in some immoral or indecent activities (adulteress, thief or profession mourner) then the child should not be given in her care. Some scholars are of the opinion that if the woman does not offer regular prayers she too should not be allowed to nourish the child. But the best course is that the child should be under its care in the beginning for so long as he remains infant and when it he begins to show signs of understanding he should be taken away from her and made over to his mother. (The text (P-271) may also mean that the child should his mothers care from the beginning), similarly, the child should not be given to his mother during infancy when she has often to go out of the house because of her profession.

PROBLEM:- IF the mother of the child marries a man who is ghair mehram to the child (a person who is not admitted in the woman apartment), either by reasons of family lineage or due to fosterage, then the child will not remain under his mothers protection. And if she marries a man who is mahram to child lineage, then her right of nourishment will not be abrogated. For example, if she marries the foster uncle of the child, the latter (child) will not remain under her care, because this man in spite of having foster relation is a stranger by family relations. And if she marries a family line uncle of the child, then her rights of nourishment will not lapse.

PROBLEM:- If the mother is unwilling to nourish the child without payment and the father is in a position to oblige her, then he should do so. And if he is poor and can not afford payment, the child should be given in the charge of the relation next to mother if he is willing to undertake care of the charge without payment, provided the mother has not married the Ghair Mahram relative of the child and it should be made clear to the mother that she must undertake the nourishment of her own without payment or hand over the child to so or so person. In the latter case if the mother desires to see her child often and take him for cares or protection her request should not be turned down.

PROBLEM:- One on whom devolves the care and protection of the child refuses and there is no other woman who can look after the child, then the former shall be pressed to undertake the responsibility, Similarly, if the mother refuse to breast feed the child and the does not accept feeding by any other woman, nor any woman agrees to feed the child without payment and the father is monetarily helpless to pay, then in this acute condition the mother should be compelled to feed her own child.

PROBLEM:- The child is under the nourishment of the mother who is either in the nikah or Iddat of the child father, in this situation the mother shall not be given any compensation for feeding the child. If she is not in the Nikah or the Iddat then she can receiving payment for nourishing the child. She can also claim the amount for the feeding and maintenance on behalf of the child, she can even demand living accommodation and the provision of a servant. All these expenses shall be paid from the assets of the child if there is any, otherwise the man on whom all these responsibilities devolve shall meet the monetary obligations.

PROBLEM:- If the mother had previously refused to nourish the child and now wants to take the child under her care, she can be allowed, in fact this retracing her obligation should be encouraged.

PROBLEM:- If the mother is incapable to nourish her child or she has refused or the woman has married a stranger, now the charge of nourishing the child will be undertaken by grand maternal mother (nani) of the child, if grand matermal mother is not there the responsibility will fall on grand paternal mother (dadi) on the conditions mentioned above. (Note: other eligible relations mentioned in this context (P-272) are mere logical and can hardly be taken recourse to.)

PROBLEM:- If the person eligible and willing to take care of the child be of equal status, then the man deserving of this responsibility is the one who is better, then one who is more righteous then who is elder in age more qualified in other respect.

PROBLEM:- The child is under the charge of the grand mother (nani or dadi) but she is dishonest then the father's sister (phoophi) can take back the child and keep him under his care and protection.

PROBLEM:- The woman on whom is the right/responsibility to nourish the child, should be allowed to keep him so long the necessity of keeping him there remains (unavoidable) or in other words the boy becomes able to look after his basic personal services (eating, drinking) attending to natural calls etc. This be can when he reaches the age of seven or so. There after he should be withdrawn and given under the charge of the father. If he refuses, then he should compelled to undertake this responsibly.

In the event of the girl begin under the care of her mother she should stay there till she reaches the age of nine. If the girl is married in the age lesser than nine years she should not leave mother's house especially when she physically attractive exciting passion. Merely marriage should not be taken as the end of the responsibility. She should be allowed to go to her husband house when she attains puberty and capable of experiencing matrimonial demands.

PROBLEM:- After reaching the age of seven years, the son will remain under the vigilance of his father or grant father or any patron. But when he becomes adult and possess common sense to distinguish between virtue and vice and is not likely to fall in evil company of young men which may bring infamy and disgrace to the family , he may be allowed to remain wherever he likes. Other wise he may be advised to stay with family elders. However after reaching adulthood the father/grand father are not obliged to pay maintenance for the son. If they do, it will be a favor.

PROBLEM:- The daughter after nine years age till attains puberty and is given away in marriage, should stay with father / grand father / elder brothers. This is to take precaution

for any untowards mishap, causing disreputation to the family. She can not stay with the son of her uncle for maintenance as he is a non-mahram, where as it is necessary that the girl should live with any Mahram relation. The other alternative is that she may be given under the guardianship of nay righteous woman who may guard her honor with devoted care.

PROBLEM:- The boy had not reached adulthood but he has become fit for working in some suitable trade. There is no harm in sending him out for working and earning to build his future and fortune. It must always be kept in mind that takes up such profession or whereby he may earn and learn (preferably religious education) at one and the same time.

PROBLEM:- In respect of the girl who is proceeding to puberty the same basic principles should be adopted as are suitable and profitable for her as a girl. The choice of avocation is vast and variegated in the female lines, common sense, rather prudence should be applied as far as the future of the girl is concerned, because the problems facing the fair-sex are as delicate as it is they are complex in nature and scope. Sensible parents are expected to make prospective choice, but the most honorable and lifelong peaceful and prosperous choice is to find for her a life partner which may guard and promote their interest in deen-and-dunya.
(Note: In presenting the problems in this context a broad view, has been adopted keeping in mind, at the same time, changes / trends taking place even in Islamic Society. There is no deviation from the basic principles laid down by the Shariat. In a sense these are in elaboration of the age long commandment in this behalf.

PROBLEMS OF MAINTENANCE

In the Shariat Terminology this aspect of Nikah and Talaq is known as NAN-O-NAFQAH, literally meaning Bread and Living Expenditure for which the English Equivalent is Provision for Maintenance of living by the husband. In a broader sense it stands for provision of Food, clothing and house. The come in effect on three counts (1)Marriage (2) Family Lineage and (3) Assets, respectively standing for Zaujiat, Nasab and Milkiyat.

PROBLEM:- The provision of maintenance for the woman by the husband who has married her through a valid and fully documented nikah in the prescribed Islamic manner, the woman may be a believer (Musalman) or unbeliever, free of purchased through a written agreement, indigent or prosperous, consummated (matrimonially) or the consummated, adult or minor but capable of transacting sexual intercourse or physically built to excite passion, even if the husband is minor in age, the maintenance is binding on him, to be paid from his monetary assets. If the husband possession id meager, it will not be given by the father of the husband. However if the father has stood surety on his behalf, the father will pay the maintenance.

PROBLEM:- If the husband is impotent or has an amputated organ (and incapable of sexual intercourse) or weakness on account of disease or has gone out for Hajj, the maintenance is wajib on him.

PROBLEM:- A minor wife who is unfit for sexual intercourse her maintenance is not due on her husband, she may live with her husband or with her father till such time as she becomes fit for conjugal relations. If the minor wife is living in the house provided by her husband for rendering any service or on account of her infatuation for him, the maintenance will be due on the husband.

PROBLEM:- The private parts of the woman is retarded making intercourse impossible or she is gone mad and resists sexual intercourse, even then the maintenance is due on him.

PROBLEM:- In an illegal or defective nikah, no maintenance is payable. If the nikah has been apparently in order and the Qazi has ordered the maintenance, but later on it is discovered that the nikah was not lawfully valid (The wife was found out to be the foster-sister of her husband), then the husband can take back whatever he has given as maintenance on the orders of the Qazi, However if has given the maintenance on his accord without the consent or command of the Qazi, then he can not take back the maintenance given by him.

PROBLEM:- When an adult woman demands maintenance when she has not gone to her husband house, her demand is valid provided the husband had not till then asked her to accompany him or she has no refused to go along with him. If the woman has refused, it may be due to any of these two reasons, (1)she is demanding instant meher (mehre muajjal) which is her right and she is due maintenance or (2) her refusal is unjustified on account of wrong statement,then no maintenance is due unless she goes to her husband's house.

PROBLEM:- After once the sexual act, has taken place, the wife refuses to go to her husband's house demanding the payment of instant meher (muajjal) as a precondition, then she is entitle to the maintenance (by way of payment of meher), otherwise not.

PROBLEM:- If the woman leaves the husband's house without permission or reason, she will not be entitled to any relief (maintenance) unless she returns.

PROBLEM:- The woman who has been given Talaq will, in all circumstances, receive the maintenance (Nafqah) during her Iddat, whether it is a Talaq Raj'ee or Bain or Three Talaqs, she be pregnant or otherwise.

PROBLEM:- So long as the woman does not reach the age of dryness (permanent stoppage of menses due to oldage), her term of Iddat is three menses. Before reaching this age, if a young woman does not have menses for any reason, she will receive maintenance during her Iddat how so ever it may prolong. If, even till reaching this age she does not get menses, then she will get the maintenance for the duration of three menses when her Iddat will terminate. However if the husband proves on evidence of witness that she has already had three menses, then the demand of maintenance shall lapse.

If, on being given the Talaq the woman disclosed that she is pregnant, then the term of Iddat will continue till after the delivery. Which will be two years time from the Talaq. If she does not deliver the child till the end of these two years and the woman still maintains that she did not have menses and believed that she was carrying (pregnancy) she will continue receiving maintenance till the expiry of three menses duration after the age of dryness, that is three months after this age.

PROBLEM:- If the woman does not claim the maintenance of Iddat after the Talaq nor did the Qazi fixed any such amount, then the no maintenance will be due after the Iddat is over.

PROBLEM:- The woman whose husband is long absent and whose whereabout are not known married another man who had sexual union with her. Now if in the meantime the former husband comes back, then separation shall be effected between the woman and the

second husband and the woman shall go through the Iddat, but the maintenance of this Iddat shall be neither on the first husband nor on the second husband.

PROBLEM:- No maintenance is wajib (essential) during the Iddat on death of the husband, whether the woman is pregnant or not. Similarly the separation taking place on account of woman immorality or belief against the religion would not entitle the woman any maintenance.

PROBLEM:- The maintenance is permissible in the khula (separation on woman's demand before a competent authority). However if the khula is granted on the condition that the woman will not demand maintenance or accommodation (or cost thereof) the woman will not get maintenance, but the husband will have to pay for the accommodation (residence), because the woman has no right to dispense with the payment on account of residence.

PROBLEM:- In the event of Eelaa, Zihaar or Liaan by the husband against his wife (there have been discussed in length in the preceding pages) or he forsakes his religion (becomes apostate or murtid) or he commits intercourse with the mother of his wife or a wife of an impotent husband secures separation, in all cases the woman will get the maintenance.

PROBLEM:- If husband and wife are both rich and the question of maintenances comes up between them then the same will be paid as among the rich, and if both are poor, then the maintenance will on the level of their living condition. And in the event of disparity or mixed level of living, the maintenance will of an average standard suitable and agreeable to both, with some concession or favor towards the woman.

PROBLEM:- While providing maintenance the wife should not be pressed for undertaking domestic work of which she is not used or which is beyond her capacity.

PROBLEM:- On the question of provision of maintenance it is for the husband to provide objects of utility or the domestic requirements.
(Note: The list of articles, to be provided by the husband and other facilities of which the woman is entitled given on P/277 are not of universal or national nature. On the contrary these are of purely local or primitive nature. They have been therefore omitted - Translator)

PROBLEM:- It is upto the husband to provide his wife with every thing of necessity or make arrangements by giving the required amount of money. The woman, on her part should not under restraints upon herself which may cause ill effects on her physiques or general health which are the prime source of attraction or endevourment for the husband. He may take any stops to make her live in good trim.

PROBLEM:- If the husband is a poor man without any possession and as such, he is unable to pay the maintenance expenses to his wife. However it is desirable to cause separation on this account. He can be asked on the command of Qazi to earn money through labour or service to meet the responsibility fallen upon him. He might also take loan for this purpose and repay it in installments.

PROBLEM:- The next demand for maintenance is the accommodation for residence. The house which the husband provides should be such that the couple may live in complete privacy, which is the prime necessity for a married pair and it depends their resources how best they can help themselves or the parents of husband can offer their assistance. Other details in this connection can be mutually settled and put in operation.

PROBLEM:- The parents of the woman can come once in a week or as often as it is

convenient to see their daughter. Similarly the woman can also visit her parents and other near relations with the permission of her husband.

PROBLEM:- The maintenance due on the under age will be paid by the parents, when the son is poor and resource less. If the adult son is crippled, lunatic or blind and as such is unable to earn his livelihood and arrange for the maintenance, the parents will have to bear this liability.

PROBLEM:- IF the son has some property in his name and there is the responsibility of maintenance on his shoulders, then the money for this purpose can be obtained through sale of his property even if the whole property be consumed in this behalf.

PROBLEM:- When the daughter reaches the age of puberty (she becomes young) and is given away in marriage then the liability of maintenance no longer remains of her father. It is shifted to her husband (and his family member).

PROBLEM:- If the mother receives the maintenances from the father of the child and the same (the money) is lost or stolen, she can once again demand the maintenance from the father of the child. If, however the amount or part of is recovered, it should be returned.

PROBLEM:- The feeding of the child becomes the moral responsibility when no other woman is available, or the child does not accept the (breast) feeding of another woman or the father is poor and can not pay the amount to other woman while there is no assets as inheritance in the name of the child, In all these unavoidable circumstances it is morally binding on the mother to feed the child, but she can not be compelled or forced to do so.

PROBLEM:- When the mother is living with her husband or the woman is in the Iddat of Talaq Raj'ee, if she feeds the child she can not demand any amount, However if she is in Iddat of Talaq-e-Baa'in , she can demand the payment for feeding. If she feeds the child of other woman whose husband is also her husband, she can definitely demand the wage of feeding.

PROBLEM:- If the parents (father, mother) grand father and grand mother and grand maternal parents (nana, nani) are poor indigent, then their maintenance is the responsibility of the man, even if they are able to earn. When this man is will to do and in the term of the Shariat, he is `Sahib-e-Nas'ab. However if the man himself is poor, then the maintenance of his father does not lie upon him. (it is not wajib)
(Note: Further details are purely pre sumptuous and seldom likely to take place in societies other than primitive and orthodox ones - Translator).

PROBLEM:- The maintenance of father, grand father etc is equally wajib (essential) on the son and the daughter if they in their respective capacity as Sahib-e-Nas'ab and or wealthy. Sahib-e-Na'sab means to possess enough assets and resources on which Zakat is levied compulsorily.

PROBLEM:- In the matter of maintenances relating father/offspring the criterion is of nearness/proximity, exclusiveness and not of inheritance for example, when son and grand son are both then the responsibility of maintenance will be on the son and not on the grand son, between daughter and grand son, it is on the daughter, between grand son and the grand daughter , it is equally on both, between daughter and sister it is on daughter.
(Note: The criterion of maintenance between two sets of relation of old and young or the younger will have to look after the elder, and between relations of equal status, the maintenance will have to be provided equally by both - Translator)

PROBLEM:- A student of religious studied will be provided complete maintenance by all his relations jointly or separately because of the importance of religious learning, although he may be young and capable of earning his livelihood.

PROBLEM:- If the relations is not Mahram (e.g. brother beings son of the uncle, cousin) or he is Mahram but relation (e.g. foster brother/sister), or the cousin who is also foster brother, in all these cases no maintenance is wajib. The maintenance of slave is on the master. If he refuses they must earn through labour/service and provide their own maintenance.

Business Transactions

MAN By Nature is SOCIAL AND PROMISCUOUS. He lives and thrives through social and contractual need. His needs are so numerous and multidimensional that he, alone and by himself can not fulfill all his needs and desires. He requires some one to help him as he himself helps others to achieve their aim and objects. The Divine Scheme of Creation has this prime objective in view that human beings are born with distinction capabilities that through mutual cooperation that the Divine object of sustenance and development of human progress on earth moves form stage to stage without let and hindrance. The creature urge in one satisfies the accomplishment of material needs of another. This in other words means the everlasting phenomena of "demand and supply", is at the very core of human progress in this world. Some one has his interest centered in commerce and business, someone is inclined to use his intelligence and labour in agriculture, while some others, more capable and qualities, seek their betterment and prosperity in politics or in military professions.

This ever moving phenomena of `give and take' `demand and supply' continue enabled in one way or the other. One of the channels of human want and their satisfaction is the most common practice of Buying and Selling which on account of ever rising level of dealings has become more and more complex and irrigated in number and nature. Islam being the Deen of Divine Ordination has given due importance to this phase of human dealings to their minutest details so that greed and avarice, which by way bargain in commercial transaction may not spoil the purity and sanctity. If one hand, Islam teaches and guides the finer and succinct aspects of worship, social and domestic virtues in our personal and corporate life it on the other hand, has given us detailed and essential instruction and commandants in this most common and important department of human life namely `Business Transaction' or simply `Buying and Selling'.

Just as in matters of religious practices something are permissible or impermissible, halal and haram, in the same way there are phases of halal-o-haram in this branch of human dealings, unless therefore, a person is aware what is good and evil in business he may fall into the ditch of evil and suffer punishment in this world and the Hereafter. There is a clear warning in the Holy Quran,

(Do not eat (usurp) your wealth (assets) with evil unrighteous intention except if it be in trade and business on which you (mutually) agree).

Further it is said,

(East of the permissible and pure from the Provision given to you by Allah and fear Allah in Whom you believe.)

The Holy Prophet (Allah's peace and grace be upon him) has said that `any one who earns Haram wealth if he spends it in the way of Allah (sadaqah), it will not be accepted and if he spends for his benefit, it will carry no blessing and whatever he leaves in the world on his death, will be his assets to go to He'll.'

The Holy Prophet (Allah's grace and peace be upon him) has also said that the `search and labour for an honest and halal subsistence is a great obligation (farz - ordination by Almighty Allah) after the devotional and religious obligations such as Namaz, Fasting, Haj and Zakat etc.

It is the well know fact to which we are all witnesses that the most common source of earning income (wealth) is through the commerce business or in simple words, through buying and selling things of all kinds, from the very small things to things of huge descriptions and denominations. But in this chapter we are concerned with transaction in things which are of common needs for almost all classes of people, among which are the earnings through honest manual labour. The Prophets of Allah and the great men in the sight of Allah have set examples for others to follow and emulate. In this respect the following few tradition (Hadees) will serve as guidelines of inspiration which will induce and en course the common peoples for setting their life patterns in the most profitable pursuits nor from the mundane points of view but also for earning rewards in the Hereafter.

The Holy Prophet (Allah's grace and pleasure be upon him) has said:

There is food better than that which has been secured through honest and hard manual labour. Surely, Hazarat Dawood (May Allah's peace be on him) earned his subsistence through labour by hand.

One who earns (his living) through honest labour is dear to Allah as a Friend.

On being asked as to what work/source of earning is the best. He replied: The work done by man with his hand, and the honest transaction.

The honest trader and businessman shall be in the company of apostles (Ambia), The Righteous and the Truthful (Siddiqeen) and Martyrs (the Shaheeds who lay down their life for the Cause of Allah).

The traders and dealers shall be raised as addicts of immorality *except that business dealer who is righteous, truthful and does favours to others.

It is for these reasons that the learned scholars (Ulama) has advised and warned people that unless they attain reasonable true and finer knowledge of business transaction, they should not venture to enter this field.

PROBLEM:- In the Shariat terminology the word `Bai-e' meaning sale (or buying and selling stands for the transaction which is earned on (1) through exchange of things with things (known in modern language of commerce as BARTER SYSTEM) or (2) exchange of things with money. This transaction is done either through words of mouth or by deeds. In the former case the basic principles are Eajab-o-Qubool (profferment or presentation of things and the acceptance thereof).
(Note: This Eejab-o-Qubool is similarly to ceremony of this very nomenclature at the Time of Nikah between the bride and the bridegroom - Translator).

In the alternative dealing of business known as sale by deeds is done through actual exchange of things through things or cash without uttering words, because sets of things are kept for sale with the prices already announced/made known as a regular practice.

PROBLEM:- In a `buying - selling', one party (may a person or a group of persons) which purchases any thing commodity is called as `Mushtari' or purchaser - buyer, while the other party, that of sellers is called Ba'ye, the seller (the individual or the group). We shall call them as buyer and seller respectively.

PROBLEM:- In this deal of buying - selling, there are certain conditions which must be

fulfilled before any transaction will be accepted as fair and equitable.

(1) Both the `buyer and seller' should be sensible (of common wisdom or senses), Note: the deal done by lunatics and minor children will not be reed valid.

(2) Transactors / dealers must be different persons. A man can not be a buyer (purchaser) and seller at one and the same time. However the father or the guardian of the minor child (ren) can do so in that he may sell the goods of the minor child/war on his behalf and purchase it for himself. Or the Qazi may sell the goods on behalf some orphan and purchase the same goods on behalf of other orphan, with a profit. Similarly, a man can be a messenger / agent of both the parties to do the dealing on agreed terms.

(3) The terms of offer (Eejab) and acceptance (Qubool) in respect of goods and price must accord with another. Any variation in this behalf should be agreed mutually.

(4) The transaction of offer (Eejab) and acceptance (Qubool) should take place at the same place and at the same time.

(5) The terms of transaction should be announced and heard by both the buyer and the seller clearly so as to avoid any misunderstanding afterwards.

(6) The things offered for sale should be present/available physically at the time of offer, it should be agreeable and durable (Muta'qaw'wim) in the possession of the seller (mamlok), and transferable and worthy of being given in trust (Maqdoor-ul-Tasleem). For example, the sale of fruits before their appearance is not valid. In the same way the grass in the field can not be sold and the water of the canal or will or the animal of game or funt can not be sold unless they are given possession of physically or materially.

(7) The sale should not be time conditioned (athing can not be sold for only a given period of time).

(8) The goods offered for sale and the price thereof should be definite and beyond dispute and controversy.

PROBLEM:- In respect of selling what is commanded is that the article of sale should be handed over to the purchaser and the seller should be owner (possessive) of the price value of the things sold. However if the transaction is kept in abeyance till a particular time, then the deal shall be completed when as the appointed time the sale is completed will mutual consent, the exchange of the article and the price come in respective possession.

PROBLEM:- The process of Eejab (offer of sale) and the Qubool (acceptance of sale) is determined in the order of priority, which also confirm the deal in respect of transfer of the article and the price thereof.

PROBLEM:- The agreement of sale and purchase should be either in the past tense (sold, purchased) or in the present tense (I sell, I purchase/buy) or one in the present tense and the other in past tense (I sell, I purchased). But in any case, it should not in the future tense.

PROBLEM:- The terms of purchase must be in clear words. Any condition imposed in business transaction which may give different interpretation in respect of thing sold/purchased or the mode of payment in cash or in barter exchange will not be correct in terms of these Shariat Laws.

PROBLEM:- Proposal for sale of nay article/good and its affirmation (eijab-o-qubool) must be done in the same sitting. If the man who accepts the sale becomes absent from the sitting, then the whole process becomes void. However if the buyer conveys his affirmation through some person when the sitting is not over, then the deal will be correct.

PROBLEM:- In between the two persons making proposal for sale and the other who accepts, the latter has a right to accept or reject it in the same sitting (This acceptance or rejection of a deal is known as Khay'ar-e-Qabool, the right to accept). There is inheritance in Khayare Qabool meaning that if the buyer dies the deal is complete, then his inheritors can not use the right of the deceased as a matter of course. In that event, the Eijab (presenting for sale) lapses and as such the question of inheritance to use the right of the deceased does not arise.

PROBLEM:- If of the two namely purchaser and the seller, goes away from the sitting (before transaction has taken effect) or the proposer engages himself in some affair other the present deal, then the transaction become void. The seller can withdraw his offer but once the offer has been accepted, it can not the withdrawn.

PROBLEM:- When Eijab-o-Qabool (offer and acceptance0 are over then the transaction becomes complete and binding, now no charge can be made without the consent of the party concerned. It is also necessary that before entering into any bargain both the seller and the buyer must obtain, personally or otherwise satisfaction of one another as regards their merits etc.

PROBLEM:- Articles/goods obtained form shopkeeper on credit and the prices paid according to agreed manner, the transaction in this way is permissible.

Note: The nature of transaction, mentioned at pages 286-287 and terminologies used are either absolute in the present days of Business and Commercial deals have undergone tremendous changes, even otherwise their translator, is too complex and cumber some. These have therefore been skipped over. As a matter of fact almost the entire chapter on Khareed-o-Farokht, is more as a classic record of Shariat laws. Still attempt has been honestly made to reproduce as much Mas'ail (Problems) as the intentions / spirit behind their introduction are still valuable both as guide and for practical purposes.

PROBLEM:- Wheat, rice barley and all others grain, can be sold and purchased on measurement as well by weight, either by actual weighting or by guess. But by guess only the grain is purchased in some other exchange. Sale of Grain for exchange of cash id permissible, but grain for grain must be exchanged by actual weight or measurement, otherwise any quantity becoming more or less than actual quantity will come within the purview of interest (su'd, which is haram). However if the difference in quantity is less than half a saa, then it is permissible because in less than half a saa in weight/measurement does not amount to deal in interest (su'd).

PROBLEM:- When a house is purchased then all the constructed and unremovable articles come with in the purview of sale / purchase shariat laws.

PROBLEM:- When agricultural land is sold, all the small or big trees bearing fruit are all included in the transaction, However a dry tree which is still not uprooted, it is not a part of transaction, it is just a lump or wood lying on the ground, small plants of fruit tress which are removed after some time and planted elsewhere in the farm are included as part of transaction.

PROBLEM:- On purchasing fish if a pearl comes out, then if it is in the shell, it belongs to the buyer. If it is the pearl without the shell, then it should be returned to seller provided the fish was caught in the bait. The pearl will remain a trust (amanat) with the fish catcher. If no trace of its real owner is available, even after due publicity, then the pearl should be sold and the amount given is charity. If a pearl is discovered in the stomach of the hen then it should be returned to the seller.

PROBLEM:- The cultivation /agriculture standing on piece of land belongs to the seller if it is sold without an agreement as regards the crops etc. Similarly the tree/trees bearing fruit on being sold the purchaser will have to make a clear understanding with the seller, otherwise the fruits on the trees in question will go to the seller. These conditions also apply to the plant, of (sweet smelling) flower, prior understanding a right to be reached, before plants are handed over to the buyer.

PROBLEM:- When an agricultural land or a fruit bearing tree is sold, it is obligatory to cut the crop and pluck the fruits before handing over possession to the buyer provided the cost of land/tree is paid, otherwise the seller will be allowed to keep the crops/fruits till the transaction is complete.

PROBLEM:- In the above mentioned if the seller desires to keep the crop/fruits standing for some time and he is prepared to pay the cost thereof, then he can do so with he consent of the buyer.

PROBLEM:- If the tree is purchased with intentions to cut it, then the land below the tree is not included in the deal. However if it is purchased to keep it standing, then the land below the tree is included in the deal and it will go to the purchaser.

PROBLEM:- IF a tree has been purchased with the intentions to cut it down, then the buyer shall be asked to cut and take the tree away. He can not leave it standing. However, if he has purchased the tree to keep it standing, in that case the buyer shall not asked to cut it. If he cuts the tree, he can plant another tree there, because the price of land now belongs to the buyer.

PROBLEM:- To sell the agricultural land before the ripening of the crops on the condition that the land will remain with the seller till the crop is ripe, is impermissible. It is also impermissible in respect of an agricultural where the crop is standing to ask the buyer to let the crop stand till it is ripe for harvesting.

PROBLEM:- In the sale of land, all those things are included which are meant for preservation such as trees, houses, whether there is specific mention in the sale agreement or not, However dry trees bamboos grass are not included as they are not preservable.

PROBLEM:- The sale of orchard (fruit-garden) before the blossoming of flowers buds and the fruits is not permissible, even if some fruits have appeared and the rest are expected (it is also impserssible). The buyers shall have clear the trees by plucking the fruits. He can not be allowed to let all the fruits get ripened before be vacates the tree. However if in more fruits appear after the sale of the tree (which were not included in the sale) then the sale shall become in valid because now there remains no distinction in the sale of the previous an those appearing late. On the event of a decision if so derived, as to which fruits belong to the buyer and the seller, an oath will have to be taken between them.

PROBLEM:- If fruits on at the trees are purchased without mention the condition as to when

the fruits be removed from the trees. If the seller permits to pluck the fruits and if more fruits appear, they are the rightful property of the buyer (the rest of the details in this problem are merely hypothetical and a bit complex). The same also applies to the next problem.

PROBLEM:- Part or parts of thing including animal on which exclusive right of the buyer is valid, can be exempted from the sale of that article for example, from the bulk of grains, some quantity can be purchased. It is not obligatory that the whole bulk be purchased. Similarly from the herd of goats, a single goat can be purchased. The things so picked up from the bulk are known as exceptions.

PROBLEM:- If a hose in purchased for demolitions then the exception of wood, bricks (debris) is valid.

PROBLEM:- IF the thing meant for sale is to be measured, weighed or counted and extra payment is to be made on there accounts, then the payment is to be borne by the seller.

The fee for examining the currency in a matter of loan, shall be paid by loan taker.

PROBLEM:- The payment of brokerage to the broker is to be made to by the seller, it the former has arranged the sale of goods with his permission. If the broker has only worked as a middle man and the selling was done by the owner of the goods, then the payment of the brokerage may be done as is customary at that place.

PROBLEM:- The sale of the article is to be done on cash payment on the spot, then the buyer has no right to impose any condition as regards payment or not be quality of the goods/article, without paying the price he can not take possession of the article. The Seller has a right to stop handing over the articles. If the article of sale is not present on the spot, the seller can not demand the cash payment. If the sale is in the form of exchange of goods on both sides, then the articles should be presented simultaneously, to complete the deal.

PROBLEM:- If the purchaser makes some change in the article of purchase for which possession is not necessary, then this change is not valid. If he make the change when possession before payment is necessary, then this change/alteration is permissible.

PROBLEM:- If the buyer keeps the article with some one as a trust or kept it for use temporarily or he lets the seller to keep with some one else which he does, then in all these cases the possession takes place, or he keeps the article with the seller, for temporary use or on hire or he places the article as pawn, after making part payment, then in the latter event, possession does by the buyer does not place.

PROBLEM:- The buyer buys oils and tells the seller to send it to some one by his man, now if the bottles falls and breaks on the way, there the loss shall be of the buyer. However if he tells the shopkeeper with any one of his men and the loss occurs then the loss shall be of the seller.

PROBLEM:- If after purchasing an article it was left with the seller telling him he shall it the next day. Supposing the thing sold was an animal which died during the night. In this case the loss shall be of the seller, because the buyer had not the possession, the purchaser has nothing to do with the loss.

PROBLEM:- A thing was sold but the price was not paid, It was kept with third person with the promise that the buyer will pay the price and take the thing, the thing was lost with the

third person. In this case also the loss is of the seller. If that third man after receiving part price he hands over the thing to the buyer of which incident the seller is not aware of , now the seller can take the thing back from the buyer.

PROBLEM:- Suppose a piece of cloth is purchased the price of which has not been paid which would entitle the purchaser to take it in his possession. He told the seller to place the cloth with another person on the plea that the buyer would pay the price. The buyers kept the cloth with the third person where it was lost. In this case also the loss in that of the seller, because the possession is still the seller. Therefore the loss shall be of the seller.

PROBLEM:- In a sale deed any thing change made at the behest the buyer will amount to the possession of the buyer even if m thing remains with the seller and the price has not been paid by the buyer. (The buyer will have to pay the price and take possession of the thing.)

THE POWER / AUTHORITY FOR PLACING CONDITION (KHYAAR-E-SHART)

In a sale and purchase transaction is open to both the seller and the buyer not to make a deal as final in the very beginning, but make it condition that the bargain shall be final only all necessary things have been settled and if anything is found wanting the deal will lapse. This is often necessary both for the seller and purchaser because on account of lack of experience or in complete examination/inspection of the goods / article in deal, difficulties and differences arise at some stage which could be avoided if proper precautions were taken before declaring the deal as final. This exercise of authority is known in the Shariat terminology as `Khaya'r-e-Shart) in a foreign language, we shall use the original terminology in this section in subsequent paragraphs (or in short K.S.), K.S. may be used for both the seller and the buyer as the only parties in the deal as it may be for any one of them or any one else as the third party.

PROBLEM:- K.S is not permissible before making a commitment to undertake a deal definitely. If there is a difference of opinion between the buyer and the seller, One says that K.S. was there in the deal while the other denies this, then the party claiming K.S. should be asked to produce witnesses in support of his stand.If he fails to do so, then the other party's stand will be taken as correct.

PROBLEM:- The time limit of K.S. is maximum three days. It can be less, but not more. It the deal is in respect of a thing which is perishable and the buyer has the K.S. for only three days (the thing may not last for that time). In such a case ,the buyer will be asked to cancel the deal or declare the deal as valid (in spite of K.S.). If some one purchase this perishable thing without K.S., but remains absent or disappears without making payment or taking possession, then the seller has the right to deal with another person.

PROBLEM:- If there is no mention of K.S. or the period is not quite clear or any other ambiguous condition then in all there cases K.S. is faulty or inoperative.

PROBLEM:- The time limit for K.S. was fixed for more than three days, but before the expiry of his period the party holding K.S. declares the deal as valid. This is so, but if three days are over to without declaring the deal as valid, then the deal becomes invalid.

PROBLEM:- The buyer said to the seller, `If I do not pay the price with in three days, then the deal between us shall be treated as canceled.' This plea is permissible under K.S. IF he pays the price in time the deal is finalised, otherwise it becomes withdrawn.

PROBLEM:- The seller kept the K.S. to himself and as such the article for sale did not come out in the open, but the buyer took possession either with the permission of the seller or by force and it was destroyed/lost while in the possession of the "buyer", then latter (buyer) will have to pay a reasonable amount as ransom/compensation to the seller. Or if the article is meant for exchange with a like thing, then that latter like article lost / damage with the seller, then there is no compensation. The deal becomes null and void.

PROBLEM:- If the K.S. is with the seller, then the price does not in the hands of the purchaser, but it does not go in the possession of the seller.

PROBLEM:- If the buyer has kept the K.S. with himself then the article of sale goes out of the possession of the seller.

PROBLEM:- The article of sale is in the possession of the buyer and it has been damaged, then price shall be paid by the buyer and if the K.S with the seller, then the cost is due on the buyer.

PROBLEM:- Both the seller and the buyer have K.S. with them, then the article will not go out of authority of the seller, nor will the price will not be out of the possession (i.e. property or milkiyat) of the buyer. Then, if the seller makes any use (Tasarruf) of it, then the deal will become void. If the buyer makes any use of the price, then the deal shall become from the buyers's side.

PROBLEM:- Who so ever has the K.S. with him, either seller, the buyer or any third party, when he declares the deal as valid, then it becomes valid for all intents and purposes, whether or not the other person come to know bout it. However if both had the K.S. then declaration by one party will not be taken as the finality of the deal.

PROBLEM:- If the man having K.S. cancels the deal, then there are two possibilities, if he declares cancellation by words of mouth, then the other party should know within the time limit. If the other person does not know at all about it or comes to know after the time limit, then the cancellations is not valid which means that the deal must be finalised.

PROBLEM:- If, one who has the K.S. declares the deal as valid (in order) or cancels his K.S., then no K.S remains operative and the deal will be compulsorily finalised.

PROBLEM:- If the person having the K.S. dies within the time limit, the K.S. becomes null and void. It can not be transferred to his heirs, because there is no inheritance in the K.S.

PROBLEM:- If the buyer has the K.S. then unless the time limit of K.S expires the seller can not demand the cost/price> However if the buyer has given the cash, then the seller will have to hand over the article to the buyer. If the seller has handed over the article, then the buyer will have to hand over the price, but he has the right to annul the deal.

PROBLEM:- When the buyer exercise his authority by using the object of sale in order to its usefulness (on final deal) and the part of test in such that he could also on any other thing which he has no possession, then in that event the K.S. (the power of condition) will not lapse. If his method of testing was not all necessary or this test on any thing not in his possessive right is not permissible then in the latter case his power of condition (K.S) will be invalid, it will lapse.

PROBLEM:- When some definite conditions are made prior to finalising a deal, which are not

predictable, then the deals become invalid. For example when buying a she-goat if a definite milk is demanded from her or that it should be pregnant, then this deal will be invalid. However if the buyer demands that it should yield good quality of milk, the deal will be in order.

PROBLEM:- If among some things, the buyer wants one among them, he can select any piece of his choice. This is known as Authority / power of selection, and in Shariat terminology it is called `Khaya'r-e-Ta'een'. For this there are certain condition: (1) The buyer should fix/select any one thing for purchasing and not all the things in the lot. (2) From two or things he may select any one, but not one among four or more things. (3) The buyer should be told to pick up one (thing) which he likes. (4) The time limit for this choice should be maximum three days. (5) This power of fixation or selection should be confined on tare or high priced and not in things the like of which are available.

PROBLEM:- After fixing the price, the question of compensation arises, when the customer takes the thing with intention to purchase and it is damaged en-routes. Other wise not.

PROBLEM:- Suppose a customer takes a piece of cloth from the shopkeeper on condition if it is found suitable but the piece of cloth is lost. In this case no compensation is due, However if he takes the cloth saying if it is found suitable, he would pay Rs.10 as its price. If the said piece of cloth is lost, the customer will have to pay the compensation(because after fixing the price, the thing has become the property of the customer.

KHYAAR-E-RUYET (RIGHT OF INSPECTION).

Some times it so happens that after purchasing a thing without seeing it, it is found unsuitable. In such a situation Shariat has authorized the buyer to cancel the deal. This is known as KHAYAAR-E-RUYET (K.R). We may call it as the Authority of Inspection.

PROBLEM:- When a thing (packed or invisible from out side) is found unsuitable after inspecting it or not according to standers (mentioned by the seller) the customer has a right to cancel the deal.

PROBLEM:- Even if the customer expresses his intention to purchase it, without seeing or inspecting it and the thing is found unsuitable, he has still the right to cancel the deal, because has not exercised his right of inspection.

PROBLEM:- There is no time limit for K.R. (Khaya'r-e-Ruyet or right of inspection) after which this right can not the exercised, because this authority or right comes in force only on and after inspection of the thing under deal, and this exists unless and until, the customer personally or through some one after having inspecting the thing expresses his willingness or otherwise about it.

PROBLEM:- The K.R. or right of inspection can take place at four places. (1) In the out-right purchase of the things so chosen (2) Through the monopoly or the holder of monopoly (proprietor) (3) In division or distribution and (4) Compromise or on agreed formula for disposal of a particular object/thing. (Note: There is no right of inspection in respect of a thing received by way of compromise in the matter of Qisas (the Law of Retaliation). Similarly, there is no K.R. un respect of bed, liability, or in cash dealings in currencies. Howeverever inspection is permissible in respect of articles of gold and silver.)

PROBLEM:- The buyer sells a thing which he has not seen e.g. a thing received in inheritance (Mira's). This deal is correct. But if on seeing the thing he wants to cancel the transaction, this he can not do.

PROBLEM:- In respect of thing which are received through division /distribution, all the possible rights can be exercised, namely, Khaya'r-e-Shart (or K.S.) (right of imposing conditions), Khayare Ruyet (or K.R.)(right of inspection) and Khay'ar-e-Aib (or K.A.) (right of disclosing/discovering defects) we shall deal this last named power/ a right after present the Khaya'r-e-Ruyet.

PROBLEM:- The deal of thing purchased without first having seen it can he canceled, because this deal was not binding on the buyer.

PROBLEM:- If the buyer takes possession of a thing (of sale), and expressed his willingness to retain it, or some defect takes place afterwards or he handles the things resulting some defect which can not be removed, in all these conditions the right of inspection (K.R.) can not be revoked, it has lapsed. He can not cancel the deal.

PROBLEM:- IF the deal of a thing which the holder has taken in his possession sells it to another person who returns it after having seen defect in it, or takes it back after having kept it as pawn or breaks the monopoly, then the changes taking place on account of different handling aspect on it, the power of inspection has already lapsed can no be revived.

PROBLEM:- If some part of the article of sale is damaged, though it may be serious nature or a slight one, the right of inspection (K.R.) becomes is lost.

PROBLEM:- Unless and until the buyer suspends or withdraws the right of inspection, the seller can not demand the price.

PROBLEM:- If the buyer dies after making purchase, his heirs shall not have the K.R.(Khyar-e-ruyet) or the right of inspection which means they do not have the right to cancel the deal.

PROBLEM:- If some change takes place in the article after the deal has been finalised, the buyer retains the right of inspection. But if the condition is the same as it was at the time of purchased then the K.R. (right of inspection) does not exist. How if at the time of agreement it was not known to the buyer that the thing he is buying is the same which is with him now, the-right of inspection will be available to the buyer.

PROBLEM:- The seller says that the thing which had sold is the same and no change has taken place in it, while the buyer says that the change has occurred, then the buyer will have to prove his stand by producing witnesses. IF the buyer does not produce witnesses, then the state of the seller, on oath, will be accepted.

PROBLEM:- In the cancellation of deal on the basis of exercise of the right of inspection (Khay'ar-e-Ruyet) the decision of the Qazi is required nor the willingness of the seller.

PROBLEM:- When the deal is rejected by the buyer on account of K.R. (khay'ar-e-Ruyet), the seller should be informed of this, otherwise he will be under the impression that the deal has been finalised. This will now necessitate finding another customer. In the absence of the required knowledge, he will not search a new customer and might suffer loss in the end.

PROBLEM:- Inspection/examination of the object of deal does not mean that it should be seen in full and no part should not be left unseen. The Ruyet (looking into) inspection means that the essential part should be seen, for example in respect of the things which are given in measurement or by weighing only a sample thereof should be enough. However in respect of things which are packed or stuffed in bags, the buyer has a right to revise the deal if he finds some defects in quantity/quality on examining the packed contents.

PROBLEM:- The buyer says that the things is not like that which he had seen and the seller says that the thing is the same which he had sold. In this state of dispute the opinion/decision of learned honest men should be accepted and abided by.

PROBLEM:- A man purchases a thing without seeing it and deputes another man as his attorney who sees the thing and accepts it. In the circumstances the deal becomes final and if he disapproves it, then the deal can be cancelled.

PROBLEM:- The buyer sends some one as his emissary to the seller to see the thing and take its possession. In this case the seeing /observing the thing by the emissary is not enough, the buyer has still the right to cancel the deal if he so desire on seeing the thing himself. If the emissary/vakil had seen the object of sale before being appointed as such. Now if the vakil approves the thing, the right of acceptance goes to him and he can finalise the deal.

PROBLEM:- The sale and purchase by blind man is both valid. If he sells something, he will not the right to cancel the deal, however, he will have this right if he buys something. He can examine the thing by touching its sides. IF he accepts it, then his right of rejection lapses. Similarly things which need tasting and smelling the deal will become final if he approves by lasting or smelling. A blind buyer can also depute some one on his behalf, in that case the right of acceptance is transferred to him and his decision will have to be accepted.

PROBLEM:- If the deal takes place by exchange of one with another (of different nature, for examples book and cloth) then both will have the right of deal as both of them are seller and buyer at the same time.

KHAYAAR-E-AIB (RIGHT OF DEAL IN CASE OF DEFECT IN THE THING)

This part deals with aspects of transaction of things in which some defects are detected after the matter has been decided and the thing concerned passes on to the buyer as new owner. The presence of defect in the object of sale has its effect on the price and utility of the thing. Here some aspects are mentioned in the light of Laws of Shariat in this behalf.

If the thing is sold without pointing out the defect, then the buyer has a return the thing to the seller when the defect comes to his knowledge. This exercise of right is known as Khay'ar-e-Ai'b (Aib in Arabic is meant defect, flaw, fault etc).

For the exercise of this right it is not necessary that the defect should be indicated at the time of deal (transaction). In any case the buyer has a right to return the thing, when he notices the . If he retains the thing full price will have to be paid (or the thing should be returned). It is not permissible that the buyer should insist to retain the thing on reduced price.

PROBLEM:- The defect should be such that in the market the price will be less (than

originally demanded).

PROBLEM:- To hide the defect in the thing is har'am and a major sin. It should be mode known before its deal to any customer.

PROBLEM:- On the basis of Khay'ar-e-Aib (we shall refer it as K.A. for short) the buyer becomes the owner of the thing, but right of possession does not becomes his legal right (as the issue of defect remains unresolved) and the right of inheritance is attached to it. This means that if the buyer dies without knowing the defect, but the same (defect) is detected by his inheritors, then on the basis of K.A. (khya'r-e-Aib) the inheritors have the right to cancel the deal.
There is not time limit for exercising K.A. So long as other circumstances which prevent its return, are brought to light the right to cancel the deal remains with the inheritors of the deceased.

PROBLEM:- The prospective buyer comes to know about the defect in advance. As such he can cancel the deal without recourse to litigation. However if he has taken possession of the thing, then the deal can not be called off without the consent of the seller or under the orders of (Qazis) court.

PROBLEM:- For the exercise of right, under K.A. the following conditions should be fulfilled.

(1) The defect in the object of sale was there at the time of transaction or it was detected before the buyer look its possession. It means that if the defect after its possession by the buyer, no right of cancelling the deal can not be exercise.

(2) If the buyer takes possession with the defect in the thing, the same (defect) should remain. If the defect disappears (for any reasons) the right under K.A. lapses.

(3) The buyer should be unaware of the defect before striking the deal or at the time of taking possession (because if he buys or takes possession with due knowledge of its defect, no right under K.A. can be claimed).

(4) The sells has not absolved himself of the responsibility of the defect, because if he owns it, the buyer can not claim recompense under K.A.
(Note: The problems; relating to defects or otherwise in the habits of pet animals, birds etc ahve been left over, because they are of trivial nature and do not come for consideration under the Laws of Shariat - Translator)

PROBLEM:- The house which is generally regarded as haunted or carry ill-omen can be returned, because this becomes a known defect and the people normally do not like to purchase such a house. It is a matter of disbelief and not an inherent natural defect, but it becomes a "defect" from transaction point of view.

PROBLEM:- The basket of fruits if found stuffed with dry grass etc at the bottom, generally not seen, can be returned. The deal has a (moral) defect.

PROBLEM:- The Holy Quran or any book with misprints, or dim impressions can be returned.

PROBLEM:- IF after knowing the defect the buyer makes any kind of the thing as a matter of right of possession, then the right of cancellation on account of defect will not be permissible.

PROBLEM:- If a amn buys a goat or cow and it milk is used when the defect in the animal comes to knowledge, he can not return the animal. However he can claim damage. Similarly if the buyer milks the naimal knowing the defect in the animal. He can not return the animal because milking the animal knowing the defect amounts to willingness to retain it.

PROBLEM:- The man purchases piece of cloth for his minor child and it is cut to size, when defect in the cloth comes to notice. He can neither return the cloth nor demand payment of loss. However if the cloth is meant for the adult child, then he can demand payment of loss/damage.

PROBLEM:- If some new defect comes up in the article of sale when it is in the possession of the buyer, then whether the defect was on account of usage by the buyer of some natural calamity he can not return the article, however he can get the damage. And if the defect was produced by the seller, even then he can not return the thing, but he can receive payment for both the defects.

PROBLEM:- If the thing is such that on account of defect it is to be return (to the seller) but there is cost involved in its return, in this case the cost etc will have to be paid by the buyer.

PROBLEM:- If the object of sale is subjected to additional treatment, for example, if unstitched cloth is sewn, an uncultivated land is planted, or the object itself is lost destroyed, in all these cases, only the claim for damage is permissible, but not return, even both the seller and the buyer agree on its return. The Qazi too can not enforce its return by a decree.

PROBLEM:- An egg if it is found dirty filthy on breaking, it will not be returned, but it will be replaced or get the money back, because a rotten egg is of no use. This also applies to fruits, vegetables etc. Which are thrown away when they are of no use.

PROBLEM:- The buyer brings back the naimal as it is wounded (and he can not keep it), the seller says the wound is another one, the earlier wound has been cured and healed. In this case the statement of the buyer shall be accepted.

PROBLEM:- While offering for sale any thing the seller declares himself not responsible for any defect, the sale will be in order and if the buyer accepts the thing he can not return it or claim any damage for its defect if it is noticed afterwards.

PROBLEM:- if the seller warns the buyer to accept and buy a thing at his own risk for any fault, existing in it or noticed later on, the buyer on purchasing the thing, can not claim any damage or return it except with the consent of the seller and on terms specified by him.

PROBLEM:- The buyer wants to return a thing, but the seller suggests to accept some amount and retain the thing. The buyer accepts. This compromiseable is permissible. On the other hand if the seller refuses to take back the thing and demands some money for the deal or the buyer himself offers money to the seller for accepting back his own article. Any compromise thus reached will be invalid and the amount so offered and bribe and interest which is haram.

PROBLEM:- In order to know the difference between the prices of a thing when it free from damage or defect and when the damage has occurred, the expert opinion will be required to settle the issue. The difference between the prices can be claimed by the buyer from the seller.

PROBLEM:- A man purchases a a piece of land and makes it as a masjid. If some defect in the land is detected, it can not be returned. However damage so occurred can be claimed. Similar is the command in respect of the land made `Waqf'. Here too the damage if any noticed in the land can be claimed, but the land will not be returned.

PROBLEM:- A thing has been purchased with excessive fraud (Ghaban-e-Fa'hish) involved in it. It may have been done in either, the thing can be returned. If however the fraud is of a minor nature (known as Ghaban-e-Yaseer), the thing can not be returned. There are three kinds of fraud, (1) some time the seller deceives the buyer (2) sometime the buyer deceives the seller, while (3) the broker or agent deceives both or any one of the buyer or the seller.

In any three cases it the fraud is of excessive nature `Ghaban-e-Fa'hish' (beyond the scope of bearing), he can return the thing. If the fraud has been committed by a stranger, the thing can not be returned.

PROBLEM:- When a thing is purchased with Ghaban-e-fa'hish, but the fact of fraud is noticed after sometime of its use by the buyer, he can return the thing after discount of the usage and get back the balance of the price paid by him.

UNLAWFUL DEAL (BAI-E-FA'SID).

The Holy Prophet (Allah's grace and peace be upon him) has said, `Surely Allah forbidden (as haram) the Wine and its price (deal, selling and buying), the dead (corpse) and it price, and the hog (swine) and its price' (Ibn Majah). It is reported in Bukhari and Muslim that the Holy Prophet (Allah's grace and peace be upon him) has forbidden the deal in the fruits unless they are fit for use, he has forbidden both the seller and the buyer. There is Hadees in the Saheeh Muslim forbidding the sale of date palms unless they become red or yellow (on ripening), the sale of the grain while still in the plant, unless the ear of corn becomes white and there is peace after some natural calamity. It is reported in the Saheeh Muslim that the Holy Prophet (Allah's grace and peace be upon him) `If you sell fruits (on the trees) and some calamity occurs, then it is not permissible for you to take any thing from it, it will be an unlawful grabbing from your brother without payment in return. Tirmizi has reported from Hakeem bin Hazam saying the Holy Prophet (Allah's grace and peace be upon him) has forbidden me from selling a thing which is not with me. It is also reported in The Tirmizi when a companion came to the Holy Prophet (Allah's grace and peace be upon him) and said, "O Prophet of Allah, comes to me to purchase a thing which is not with me, I settle the deal, I go to bazaar, purchase the thing and give it to the customer. He said not to do dealing in a thing which is not with you (as possession).

The Holy Prophet (Allah's peace and grace be upon him) has forbidden two deals in one deal, meaning thereby that the cost of a thing if purchased in cash it is so much and if on credit the cost will a little higher, or in other case when a man sells a thing on a certain price and he tells the buyer to his thing on a certain price.

The Holy Prophet (Allah's grace and peace be upon him) has said, `Loan transaction (Qarz-o-Bai'e) is not Halal (which stipulated a deal in such a way that the seller asks the buyer that he (seller) is selling his thing at such a price on the condition that the latter (buyer) would give him a loan. Another situation in this behalf (two dealings in one deal) is that a man gives another man a loan and sells his own thing at the hand of loan taker at a higher cost. And in the transaction, two conditions are not halal (permissible), and the profit on a

thing is not a halal which does not carry guarantee and the selling of a thing is not permissible which is not one's property (with rights of possession). (Tirmizi) Nisai and Abdu Dawood.

PROBLEM:- In a situation where a rightful participant in the deal is absent or the thing itself is haram or impermissible for deal, under the laws of shariat. The example where the right participant is not present is that either a minor child or a lunatic settles a deal which is not acceptable from the Shariat's point of view. As for the (permissible) thing being absent, it is in respect of dead body (corpse, a carrion), wine or a Hurr tree person (not a slave) whose sale is not permissible, or the situation where the person or the place itself is not conducive to a permissible sale.

PROBLEM:- The article means for sale or its cost, if any of these does not ahve religious sanction, it dealing is impermissible, for example the dead corpse (carrion) blood or the Free (man or woman, not a slave) their deal is haram in any heavenly religion. If any of these is worthy of deal in some religion while prohibited in any religion, if they are taken as article of transaction then the deal will be invalid or if is taken as a cost or price then the deal will be totally wrong (Fa'sid) for example, the wine which is haram in Islam, while in christianly it was taken as a commodity. It therefore in any deal the wine is regarded as a commodity to be used in exchange of another commodity then the deal / transaction will be impermissible or Haram.

PROBLEM:- Asset (in Urdu m'al) is a thing to which human inclination is attracted, which is exchanged in business transaction and others are prevented to grab or extent it, which is accumulated for use in time of future needs. There fore a lump of clay which is stationary at a place, it will not be an asset and it transaction will be invalid, however when it is transferred to another, it will taken as an assets or commodity and a business of it will be valid.

PROBLEM:- By dead body corpse, carrion (in Urdu, Mur'dar) is meant that animal which is not slaughtered, whether the animal naturally, or some one strangulated it or some other animal killed it. However Fish and Locust are not included in `murdar' because no slaughtering is possible with them.

PROBLEM:- There is no deal in any thing which does not exist, For example in a two storied building under possession of two different persons on each floor. If purchaser the upper portion collapses while other structures remain. Now, if the owner of the upper floor wants to dispose of his portion, he can not do so, the upper portion is now non-existent. If his intention is sell the occupancy or building right, this is also not permissible because the deal/transaction of a thing/article which physically exists. However the upper house exists (in any shape or condition) a deal of it will be valid.

PROBLEM:- Water lying in the well or canal can not be sold out. However when it is filled in pot or pitcher, it becomes the property of the holder. It can be sold as a commodity.

PROBLEM:- By collecting the rain water, a person becomes its owner. he can have a deal with it. The water collected in the yucca reservoir can sold, if fresh water in not forthcoming in to.

PROBLEM:- In a stock of things meant for sale some part is present and some part is not seen, like the flower beds, in such a case the sale is not valid. IF however the whole stock of flowers/beds are sold, then the deal is valid.

PROBLEM:- The principal point in a deal is that the thing meant for sale should belong to the specified category, any variation in quality or category of things will render the deal as impermissible. This is particularly applicable to the deal of bet animals or precious stones and gems. In such case the buyer is authorized to accept or reject the deal.

PROBLEM:- An article of `WAQF' when mixed with another article of NON-WAQF' brand for a business deal, the deal of the NON WAQF article is right and of the WAQF will be in valid. If MASJID in combination with any other article of any nature, the deal of both the categories will be wrong.

PROBLEM:- Two men sharing a house as owner-partner if one of them sells the entire house to the other, then the deal of his share is valid and the price of that share will be given to him but not of the entire house.

PROBLEM:- Two men are sharing a house or a piece of land. If one of them sells a part of the land, its deal will be invalid. However if he sells his own share of land, then the deal will be lawful.

PROBLEM:- IF the entire village having Masjid and graveyard is sold out, then the deal with the exception of the masjid and the graveyard will be lawful, whether or not the mention of these two places has mentioned in the deal. Even otherwise these religious structures/places are exempt from sale as a rule. (The management of these places can however be changed after the deal is over - Translator).

PROBLEM:- The business deal of human hair is not permissible and to make use of these hairs in others ways is not allowed, for example to make plaif of human hair which the women put on their head is "haram".

PROBLEM:- The Holy Hair (Moo-e-Mubarak) of the Holy Prophet (May Allah's grace and peace upon him), in possession of any person can be gifted to another person in exchange of another gift (not by way of sale) is permissible. To receive blessings from the Moo-e-Mubarak to drink and apply the washed water of the Moo-e-Mubarak on the eye-lids is recommended in the Ahadees of the Holy Prophet (Allah's grace and peace be upon him).

PROBLEM:- The invalid deal (known in Shariat as Bai-e-Baitl) does not imply the possession of the article of sale by the buyer if he gets it by way of purchase (which is declared unlawful-batil). So long as he remains in possession, it will be as a trust (amanat).

PROBLEM:- To include conditions in the agreement of deal as a matter of necessity is not harmful (for example, imposing conditions on the seller to arrange possession to the buyer of the article of purchase or the condition asking the buyer to arrange personal guarantee of the payment of the price of the article of purchase or of placing some like prices article as a pledge (pawn) to ensure payment, provided the person who is appointed guarantor (Zamin) is present in the same sitting time. In these circumstances, these extra precaution are permissible. However if he guarantor (Zamin)refuse to act as such then the deal will become faulty (Fasid). If the buyer refuse to agree by these assurances the seller has the right to cancel the deal. Similarly the buyer can ask the seller to make so and so as the guarantor who will facilitate possession of the article or if any right accrues from the article, the guarantor will get it accepted and paid by the seller. This is also permissible. The guarantee as declared by the owners/manufactures of the articles of sale which procedure is becoming popular in the modern business deal is also valid. However all such conditions of guarantee which are not valid from the shariat point of view (however attractive) will make the deal as totally invalid and unlawful.

PROBLEM:- The conditions of the following natures imposed while transacting a deal are unlawful, namely,

The servant sold will serve the seller for one month.

The seller of the house will stay for one month.

The buyer will give so much amount as loan or give so and so thing as a present.

The seller will keep the sold article will not vacate possession for one month.

In all these above mentioned conditions the business transactions will not be lawful.

PROBLEM:- There is no mention of the price in the business deal, but it is said that the price current in the market will also be its price. This is not permissible or, if it is said that there is no price (as a deal) this is also not valid, because there can be no deal without the price.

PROBLEM:- The sale is cash of he fish which is still in the pond or the river is not valid as these are in the possession (milkiyat) of the seller. Or the same (fish) in this condition (not yet caught) if sold in exchange of articles other than cash, this is also not valid, because (in both these cases) the possession is not acceptable.

PROBLEM:- The sale of fish caught from the river and put in a ditch from where it can be caught without any help or thing, is valid, because its possession it recognizable. If however foreign object is necessary to remove the fish from the ditch, then its deal will be valid only when its possession is given to the prospective buyer. If the fish comes of its own in the ditch which was prepared for this purpose, then the fish will become the man's property, others can not take/claim it. If the ditch was not dug for this purpose, then the fish falling in it will not that man's property. However, if he closes the outlet of a ditch in which fish have floated from the nearby pond, he becomes the owner of the fishes that are blocked in the pond. The deal is this fishes will be permissible. Similarly if some fleeing quadruped like deer, slag fall in the ditch dug for any purpose the animal becomes the possession of ditch digger others can not claim it. However the ditch was not dug by any one, then the animal falling in it becomes the property of anyone who can by hand on it, suppose a string net is spread in the open for drying it and some bird gets caught while flying near. Then if the net was spread for the purpose of catching the birds, the birds caught in it belong the net owner. Otherwise laying hand on them can carry them home. If the birds caught in the net escape in the open, then any one catching them will own them. Similar is the command in respect of hunts to made by hunting dogs and hawks.

PROBLEM:- If a stray bird lays egg/young one after self hatching they will be owned by the man who has make this place for this very purpose. Otherwise any one how finds them would be deemed the owner.

PROBLEM:- If some animal of hunt by chance comes into the house and the man inside shuts the does, then it becomes his. No other person can take it.

PROBLEM:- To give ponds lakes etc on contract for catching fish (hunting) is not permissible.

PROBLEM:- Fish caught in the net and sold out as a routine. The fisher catcher can not claim any pearl recovered from inside any fish nor can he claim as a separate article of sale. Such

a claim and the sale there of are both unlawful.

PROBLEM:- The agricultural farm in which the crop is not ruipe the deal there of is of three kinds namely, (1) the buyer will cut the crop forthwith, (2) he will have it grazed by his animal (3) he takes it on the condition that till its ripeness he will leave the field as it is . In the first two cases, the deal (purchase) by the buyer is permissible, while in the third case, since it is profitable for the buyer, the deal will be irregular.

PROBLEM:- To sell the fruits (on the trees) before they are even visible now means an irregular and faulty deal. However if the fruits have appeared (on branches) although they are not yet of use, the deal will be permissible, but the buyer must pluck them forthwith. If the condition has been settles that so low as the fruits become ripe, they will remain on the trees, then this deal is faulty (Fasid). OR if the purchase has been made without any condition or if the seller has agreed to allow the fruits on the tree till they are ripe then the deal will be in order.

PROBLEM:- If cow, goat or hen have been let out to another man on the condition that he will feed and nourish them and their young one's and chickens will be divided half and half between them, such a deal is not in order. The young ones and chickens belong to the owner of the animals and the other man will get the cost of feeding and care taking the animals at the rates that are extant at the moment.

Similarly if a man offers his land to plant trees on the condition that after a stipulated time, they will divide the trees and fruits equally between them. This is also irregular. The trees and fruits on them belong to the owner and the other man will get the price of the trees at the rates, which were current when the tress were planted, he will also get the wages of the labour which he rendered in this connection

PROBLEM:- The sale of the skin of a carrion (murdar) in unlawful when it is not tanned. And if it is tanned, its use and sale is permissible.

PROBLEM:- The sale of unclean (napak) edible oil is permissible and it can also be used for other purposes except cooking and eating. But it is necessary that the buyer should be informed of the oil being impure and unclean, so that he may use it for cooking. Even otherwise impurity is a blemish or fault of which one should be informed. Unclean and unholy oil can not be used in oil lamps in Masjid, but it can be used at home.

PROBLEM:- The fat of a carrion is prohibited for sale and derive any benefit (money) in any way from it.

PROBLEM:- The tendon, hairs, bones, quill, beaks, hooves and nails of a dead body can be sold as well as made use of. Similarly the ivory and bones of an elephant can be sold and made use of for any purpose e.g. decoration pieces, bracelets etc.

PROBLEM:- Iron and brass finger rings which are forbidden to men and woman are also forbidden for sale. Their sale is makrooh (undesirable). Similarly the opium is also forbidden for use and sale especially at the hands of those who are addicted to it, because it amounts to encouraging them in their notorious habit.

PROBLEM:- The thing of which deal has been settled but the full price has not been received can not be purchased at a lesser price from the buyer, even if the market rate of it has dropped.

PROBLEM:- A man purchases a thing but he has not yet taken it possession. If he proposes to sell this thing along with another thing which is his own, the deal will be valid in respect of the thing of which he is the owner.

PROBLEM:- A man offers his portion of the house for sale to another man, but the seller is not aware of the portion of the house offered for sale, while the buyer knows, the deal in this case is valid. In case buyer does not know what portion is under deal then the deal will not be in order even if the seller knows.

PROBLEM:- After entering in deal of a thing with a man to sell it to another person is haram and extremely false, If the first deal is cancelled, even then the second deal will not be in order. However, if the first buyer has taken possession of the thing, then for the second deal his consent and permission is necessary.

PROBLEM:- The deal in which the quality of the thing and its exact price are not clear, is not valid, especially when there is a possibility of confusion and dispute afterwards. However if the deal is clear and mutually agreed, then there is no harm in finalising it.

PROBLEM:- The command in respect of an invalid deal is that if the buyer takes possession of the thing with the permission of the seller, then he becomes the owner of thing, but so long as he does not possess the thing he will not be regarded as the owner. The permission of the seller may be distinct case the possession and ownership is valid.

PROBLEM:- In a faulty and irregular deal (Bai-e-Fasid) it is incumbent on the buyer not to take the thing in his possession. It is also necessary for the seller to check the buyer to do so. To cancel the irregular deal is the duty of every one concerned with the deal. If the possession has already been made, it is the moral duty of the buyer to cancel the deal and return thing. If such as situation has arisen where the thing concerned has been lost and damaged to an unrepairable condition, then the like of in utility or in price thing must be replaced. I f the issue of returning the price comes up for settlement, then the price of the thing on the day of deal will have to be paid.

PROBLEM:- To carry out the deal under compulsion or unlawful mean amounts to faulty deal and it must be declared invalid. But the cancellation of the deal is not incumbent on the man who has been compelled to undertake the deal. But it is binding on the man who has used compelling tactics.

PROBLEM:- In an irregular and faulty deal if the buyer takes possession of the thing without permission of the seller, then it will neither a valid possession nor ownership nor any usage of the thing.

PROBLEM:- In an irregular deal, the buyer sold the some thing with another man or gifted to some one as a gift or did any thing which prevented the return or come back in possession of the buyer (original one who bought the thing in the first instance) the whole process (which deprived the real buyer to regain possession of the thing in the deal) made the deal as faulty and it can not be cancelled or withdrawn..

PROBLEM:- If the deal was done under compulsion or unwillingness of the buyer and after gaining possession, makes some kind of usage with the thing, then every thing done with the thing will be taken as invalid and the seller still has the right to cancel the deal.

PROBLEM:- The deal can be cancelled even if the thing is given on hire to some one.

PROBLEM:- IF any one of the buyer of the seller dies, his heir has the right to cancel the deal as the successor to the deceased and using the latter's right in his behalf.

PROBLEM:- If the irregular deal is cancelled, then the seller can not take the thing back unless he returns the money, either the some money which he received or its equivalent.

PROBLEM:- If the land id purchased through the irregular or faulty deal and the buyer plants trees on it or builds a house there on, in this situation the deal can not be cancelled and the buyer will have to pay the price of the land.

PROBLEM:- A legator (i.e. the person from whom an inheritance is derived, in Urdu `Muris') had received the property etc. through unlawful (haram) means, and now the some has come in the possession of the rightful heir (waris). If he comes to know that the property belongs to so and so person, then it is moral responsibility to hand over the property to that person. If he does not know who the real owner is, then he should give it away as a charity on behalf of the (unknown) owner.

PROBLEM:- It is not necessary for the buyer to enquire from the seller that the thing under deal is halal or haram. However if the seller has a bad reputation in his dealing, then it is necessary to check. If the thing is halal, he should finalise the deal, otherwise he should abstain from it.

PROBLEM:- After purchasing a house and settling the deal if some money or any other costly thing such as jewelry or ornaments are discovered then the same should be returned to the seller, as it is demand of moral and hones dealing.

Undesirable (Makrooh) Deal

The word `makrooh' literally means thing which is detestable or undesirable or that which arouses aversion. According to laws of Shariat any deal or transaction which evokes aversion is forbidden and one who carries out such a seal commits sin. This deal is purely sentimental depending upon the moral or religious reaction. Legally such a deal is not invalid and as such it can not be a part of agreement declaring it unlawful. There at the lower level it is below faulty or irregular (Fasid). Some scholars of Islamic Jurisprudence (Fuqaha) are of the view that a `makrooh deal' should also cancelled like a faulty (Fasid) deal. The difference between `Fasid' and `Makrooh' deal is that in the case of former (Fasid) if the partners in the deal do not cancelled it (Faskh), the Qazi can decree for its annulment and in the latter (Makrooh) deal the Qazi can only emphasis the moral decorum for its cancellation, but he will not declare it as null and void in the legal sense.

PROBLEM:- Withholding or hoarding food grains with evil intentions to sell it at higher and exorbitant rates in the days of scarcity due to drought or floods, cyclones etc (In Shariat Terminology known as Ehtikar) is forbidden and an act of severe divine displeasure and*wrath.

PROBLEM:- To store and hoard grain produce of one's own land is not hoarding in the penal sense nor it is forbidden. However if the intention behind hoarding is profiteering and earning immoral riches, then this very hoarding becomes curse. If the hoarders are intentions and activities become known and the people are in dire need of food grains facing near, famine conditions, then in such a situation the Qazi can force the hoarder (s) to release the food grains for the people or suffer hard penal punishment in default.

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*: According to Hadees Sharif, the ho-ardor of grains, with evil intentions to sell it higher rates has been condemned as one on whom curse of Allah befalls. The Holy Prophet (Allah's grace and peace be upon him) has said that the hoarder shall be afflicted with abdominal deceases such as leprosy, extreme poverty. The angels and the righteous servants send curses on the hoarders.

Ehtikar (hoarding) can also be in eatables, such as dry fruits as wells as the grass and fader which are the food meant for the cattle and other pet animals. Fixing of high rates is not the prerogative of selfish man. Allah the Almighty cause abundant growth of food grains which means the prices of these commodities must be within the reach of every needy person. High prices do not enable the poor people to purchase them.

PROBLEM:- Fixing of prices as legally binding by the government agencies is not correct. The government or its functionaries can however advise to the dealer in food grains to adopt a reasonable standard of food prices, especially in circumstance when the deals / land lords have fixed exhortitave prices of food grains, which are beyond the reach of common man.

UNAUTHORIZED INTERFERENCE IN DEAL (BAI-E-FUZ'ULEE)

This is a intricate kind of business behaviour when some one not directly involved in the

transaction happens to possess powers to interfere in the object of transaction in the rights of another person without the permission of the latter. Such a person is nicknamed as FUZ'LEE in the business deal. The strange fact is that this kind of self indulgence becomes regularized at the instance of the person who can declare it as in order (Jaiz). For the sake of common understanding we shall call the self indulging person as FUZ'ULEE and the person who declares/permits in indulgence (Tasarruf) as in order MUJAIYIZ (one who declares as Jaiz) correct, in order. Problems narrated under the above caption are limited in number and complexity. There fore these un-usual terminologies will not cause undue embarrassment.

PROBLEM:- The interference committed by the FUZULI shall become in order if the MUJAIYIZ (the man who can declare FUZULI'S action as correct) declares it as such. But the presence of the MUJAIYIZ is necessary at the time of transaction/deal. If the MUJAIYIZ is not present then the transaction can not be said to have taken place, and as such there is no role for the FUZULEE.

PROBLEM:- To declare the deal of FUZULI as correct it is essential that the object is present on the spot. Otherwise no regularization can take place. It is also necessary that both the partners of the deal namely the seller and the buyer should be on their stand (terms of transaction). If both of them cancel their own deal or if any one of them dies, then the deal not be regularized (through an act of FUZULI).

PROBLEM:- IF the owner okays the deal of the FUZULI, then the price which the FUZULI has received becomes the property of the owner and the money in the hands of the FUZULI becomes as a trust (Amanat) and the FUZULI himself become the vakil.

PROBLEM:- The FUZULI has also the right to cancel the deal which the owner has not so far declare as in order. IF the FUZULI has arranged a marriage deal (Nikah), then he can not annul it.

PROBLEM:- The FUZULI strikes a deal and the Malik or Mujaiyiz dies before okaying, then his inheritors can not okay it. Immediately on the death of the owner the deal no longer remains in vogue.

PROBLEM:- The usurper after taking possession of some property sells it out, but later on pays the ransom or compensation for his unlawful possession. The deal in this manner is in order.

PROBLEM:- If the owner of a goods rebukes the usurper for having unlawful taken away his property. But he condones the unlawful possession and tells the unlawful possessor to sell the thing and give the price to the buyer as a gift. This is permissible whatever the words may have been used for condoning (which amounts to willingness or acceptance) or otherwise of the action of the Unlawful behaviour of an unauthorized person. (Here the usurper may be taken as a FUZULI under the above caption).

PROBLEM:- The FUZULI carries out the deal in the presence of the owner, but the owner says nothing and keeps silence, he also does not reject the deal. This silence does not amount to acceptance of the deal.

PROBLEM:- The thing which has been pledged (kept as pawn) or given on hire, its deal depends upon the permission of the man with whom the thing is pledged or given on hire. If they agree then the deal will be in order. But neither the pledge holder nor the man taking on hire has the right to cancel or reject the deal, not ever the man who kept thing on pledge

nor the hirer (taking on hire) can reject the deal (because they don't possession the right of ownership). However the buyer can declare the deal as void subject to approval of the pledge keeper on the hire dealer. Suppose then two men had previously cancelled the deal, they the approved it. In that case the deal will be right.

If the intervening conditions of pledging and giving on hire are withdrawn after finalizing the deal, then the original deal will come in force (which has come into picture after the release of hire/pledge). If the hire dealer okays the deal and it becomes valid, even the thing in the dealing can not be taken from the hire dealer unless his dues are paid to him.

PROBLEM:- If the thing which is on hire is given away as in deal to the hirer (on who takes things on hire), if (the deal) becomes effective at once, it does not require the permission of the owner.

PROBLEM:- When a thing lent on hire is sold out and the buyer knows that the thing he has purchased is on hire. He now agrees that till such as the term of hire lasts, the thing should remain with the man, and after the terms comes to an end it should be given in his (owner's) possession. In such a situation he can not demand the return of the thing unless the time for handing over possession comes.

PROBLEM:- A field is let out to a farmer on contract for a fixed time limit. Whether the farmer cultivates the field or not, its deal depends on the willingness of the farmer.

PROBLEM:- A house is let on rent, but the landlord wants to have a deal for the house which the tenant does not agree. To get rid of this situation the land lord enhances the rent and enters in to another contract deal of tenancy. New agreement becomes effective and the old deal lapses.

PROBLEM:- The tenant or lessee comes to know the owner of the thing under deal has sold out to another person. The tenant request the buyer that since he has bought the thing while his agreement or lease is still current, he requests the buyer to allow him to stay till the recovery of rent paid by him is return to him. The new buyer agrees and the deal in question becomes operative.

IQ'ALAH (TO CANCEL OR WITHDRAW ANY DEAL)

PROBLEM:- The process of withdrawing or cancelling any agreement or deal is known as IQALAH (we shall use this terminology in enunciation "problem" under this caption). It may take place on personal move or on suggestion of others. It may include the return (pay back) of the price of thing sold or accept the some on behalf of others, IQALAH is not permissible in respect of Nikah, Talaq (divorce), Utaq (freeing slave or slave girl) and `Ibra' (absolving one self from any responsibility). If in any agreement between two persons, one desires Iqalah, the other should respond agreeably. This is an act of virtue worthy of Divine reward.

PROBLEM:- In `Iqalah' the consent of the other partner is essential. Along a person can not do it. It is also necessary that the Iqalah should take place in the sitting where both the persons are present. The absence of one or his not hearing the terms of Iqalah will not fulfill the demands of Iqalah. (The details of reasons against the legality of Iqalah mentioned in this `problem' are purely hypothetical.)

PROBLEM:- The conditions for the IQALAH are as under,

(1) Both the person of agreement or deal should be willing.

(2) The Iqalah should take place in one and the same sitting.

(3) If Iqalah is in respect of a serviceable object (Bai-e-Sarf) then in the same thing the possession of the two exchangeable things should also be arrange.

(4) The thing/object of sale should be present. The constancy of the price is not the essential condition.

(5) The thing/object of sale should be of such nature the deal of which can be rejected on the pleas enunciated under terms of rights known as Khyar-e-Shart, Khar-e-Ruyet and Khar-e-Aib (we have dealt with these Powers/Rights in details in the forgoing pages under these very specific captions).

(6) If interference of grave nature has taken place with the object on account of which the deal can not be rejected, Iqalah is also not possible and permissible.

(7) The seller should not have gifted the object before its possession by the buyer.

PROBLEM:- The thing (of deal) was present and intact at the time of Iqalah but before it could be returned it was destroyed/damaged beyond recognition the Iqalah to becomes obsolete.

PROBLEM:- `Iqalah' is permissible on the amount which is the price of the thing in question. The Iqalah on an amount more or less than the sale price of the thing will not be acceptable. It may be exact amount in the same currency or its equivalence in any currency as a legal tender.

PROBLEM:- On account of some defect after the sale the Iqalah is done on a lessor amount than the sale price, this is permissible. If however, the defect in removed later, then the buyer can take the amount from the seller which he got less on account of the defect in the thing in the first stage of Iqalah.

PROBLEM:- The soap was sold in fresh condition, but the Iqalah was done when the soap became dry. The buyer will have to give the same (dried) soap, on Iqalah.

PROBLEM:- Iqalah means the cancellation of the original deed between the original seller and buyer, but this Iqalah is the fresh deal for the other person. It means that if on account of the Iqalah the original deal can not be treated as cancelled, then the iqalah itself becomes false and inoperative. For example if after the deal of a slave girl (which not in vogue at the present time) or a pet animal, if a young one is born, then the Iqalah of the slave girl or the animal can not he done.

PROBLEM:- IF a part of the object of deal is destroyed while the remaining part is in contact, then the Iqalah of the remaining part can be done.

PROBLEM:- If the seller receive excess amount from the buyer and if the buyer desires to do Iqalah of the thing, there should be hitch in doing the Iqalah. (The excess amount received by the buyer is reasonable limit as a profit etc) then there is no need for the Iqalah. The buyer can straight away, cancel the deal.

PROBLEM:- IF a thing is given as a (free) gift to some one (in token of love, respect, affection etc) but the man receiving the gift sells as an object of deal, now the man presenting the gift can not get it back.

PROBLEM:- Just as the Iqalah of an object of deal can be done, in the same way the Iqalah of the (first) Iqalah can also be done. The Iqalah of the Iqalah cancels the first Iqalah which means the return of original deal (of sale). However if in `Bai-e-Salam (we shall deal with this later) the object of deal has not changed hands and its Iqalah has taken place then the Iqalah of this Iqalah is not permissible.

MUR'ABAHA AND TAULIAYAH

These are purely Arabic terms of sale with or without gain (profit) respectively in the deal.

PROBLEM:- A thing bought a thing on certain price and offered for re-sale in the market. While fixing the price some time, the additional expenditures incurred on it are also added along with the intended profit or gain. This type of resale is termed as `MURABAHA' or sale with profit or simply SWP.

In the other event where no profit in intended on sale in known as `TAULIYAH' or sale with no profit or simply SWNP.
(Note: By the translator, since no recognized or accepted terminologies are available, an attempt has been make to simplify; the process of deal by assuming self-coned abbreviations. These can be and will be replaced by correct terminologies or their abbreviations).

The thing which comes in possession otherwise than by sale deal, for example, through gift or inheritance or by the execution of Will (wasiyat) can also be disposed by either of he two channels namely SWP (sale with profit) or SWNP (sale with no profit).

PROBLEM:- Murabaha (SWP) is not permissible in the rupee or Ashrafi (recognized currencies).
(Note: The exchange rates of foreign curries are notified by the government of the day. This different from "selling" currencies at one's desire).

PROBLEM:- The basic condition for the Murbaha (SWP) and Tauliyah (SWNP) is that the thing which the first buyer has bought should be such that the buyer Two may exchange with another thing by fixing the price at a profitable level. If the thing can not be exchanged with the desired thing but by paying the price to the buyer of that thing of which he is also the owner. Otherwise the exchange/purchase will not possible, because of difference in the price or quality which demands higher price.
(Note: This is not the exact transliteration of the content under this `problem' at P/319, it is the summarized version of the given details.)

PROBLEM:- In the event of deal with intent of profit, it is necessary that the value nature of the desired thing as a profit be indirectly indicated. For example, the man may to say to another that the thing valued Rs.10/- (cost price) along with the thing he has with him (profit).

PROBLEM:- By the cost price is meant the price at which the deal has been mutually agreed upon. Suppose the agreed price is Rs.10/ but the buyer gone the seller some other thing. In

terms of `Murabaha' and `Tauliyah' the deal is in order. If the cost of the thing is more than Rs.10/- the deal is Murabaha and if its cost is equal to Rs.10/- then it Taulia. It will be assumed that the deal is of Rs.10/- Murabaha and not the among which the buyer himself paid.

PROBLEM:- There is a system in the market in respect of sale of a thing on the basis of 10-11 (Deh Yazdah). Which means the seller will receive one rupee profit for the sale price of every 10 rupees or its multiple in the upward order. This formula is applicable if instead of the cash cost price the demand may demand a horse on the 10-11 (Deh Yazdah) is understood. The exact price of the horse should be in the knowledge of the buyer, Then only the deal under this formula will be treated as in order. It is also necessary that the sale price should be declared in the same sitting in which the deal is being struck.

PROBLEM:- The capital or the Principle which is meant to be invested in the commercial back on the basis of Murabah and Tauliyah will enhance if the deal includes profit (Murabaha) and will remain unchanged (no profit) or Tauliyah. In the former case the additional expenditure by way of transport charges, brokerage etc, will be added to the capital.

PROBLEM:- The cost of repair of the house plastering, renewal and clearance, digging of the well etc, all incidental or essential charges including the brokerage etc will be added to the cost price of the house.

PROBLEM:- In a deal of Murabaha, if the buyer comes to know that the seller has committed a fraud or breach of trust and wrongfully enhanced the cost price by adding uncalled for items, then it is open for the buyer to pay the demanded price or reject it out right. The fraud or distrust can be assessed in three ways. (1) The seller himself admits the excess in the cost price (2) The buyer establishes his claim by producing witness (3) The buyer took the oath from the seller.

If in the deal of Tauliyah brand, the seller has committed dishonesty, then the buyer can deduct the defrauded amount from the cost and pay the balance as the real cost, before taking possession of the thing.

PROBLEM:- A fraud comes to notice in the deal of Morabaha and buyer wants to return the thing, but before doing so, the thing is lost or has suffered some damage which makes the return necessary, then in such a case the full cost price of the thing will be necessary to be paid before it can be retained by the buyer. It can not returned nor will be get any compensation for the damage.

PROBLEM:- On a thing received by way of compromise (as different for purchase or gift) there can be no dealing on murabaha.

PROBLEM:- A thing was purchased at a exorbitantly high price which no one is willing to pay. It is (morally) necessary to declare this situation in the deal of Murabaha or Tualiyah nature.

PROBLEM:- The thing is sold by way of Tauliyah but the buyer is kept in hard as to what is actual cost price, This is a faulty deal. Then if the buyer comes to know the price through the people (or any reliable way) the buyer may or may not take. If the real fact can not be ascertained even in the midst of people then there is no way to remove the fault. This is also true in the deal of Murabaha.

THE CHANGE AND ALTERATION IN THE ARTICLE AND PRICE OF DEAL

PROBLEM:- On purchasing an immovable property it is permissible to strike a deal on it, even before formally acquiring its possession, because it is very rare that it shall be destroyed/damaged. If however, such an immovable property (House) or any part of it be such that it may suffer damage, then before getting possession it can not be put on deal (for sale).

PROBLEM:- On purchasing a movable property, it can not be put for a commercial deal before getting possession, but it can be gifted, given in charity, keeping as pawn, lending or for temporary use.

PROBLEM:- IF a movable thing is given as a gift to the seller who accepts it, then the deal is no more remains extant. And if is sold to the seller as a deal, then this deal is not valid. The first deal is still existing.

PROBLEM:- The seller (on selling) himself does some alteration in the character of deal prior to giving it in possession of the buyer, then it can be done in two ways. The first is that the seller does so with the permission of the buyer and the second is that he did without the buyer's permission. If the seller gives the thing as gift, or gives on hire/rent with the buyer's consent, then this amounts to the buyers possession. Or, acting on his own (without buyer's approval) he pawns the thing, or gives on hire/rent or keeps it as a trust and the thing is damaged or destroyed, then the original deal no more remains operative. And if the seller gives it for temporary use, give as a gift or pawned is which the buyer approves, then too the possession of the buyer is established.

PROBLEM:- The buyer tells the seller to keep the thing with some person and he will get thing back later from that person. When he (the buyer) is in a position to pay the amount, the seller does so, this does not mean the possession of the buyer, the thing is still in legal possession of the seller. If that thing is destroyed (in this state) it is the loss of the seller.

PROBLEM:- A thing was bought, but before its possession by the buyer, the seller sells it some person at a higher price, which the buyer approves. Even this is not correct since it was done before the buyer took possession it.

PROBLEM:- Some one purchased things (1) by measurement (2) by weight and (3) by numbers (counting). Now unless is checked in measure, in weight or in numbers, its sale or personal use is not permissible. Or if it is purchased by guess or approximation and the thing in question is present, when the deal is settled, there is no need for its checking. If however these things have been received as gift, inheritance or through execution of a will (deceased's) or was grown in the field, then there is no need even for its measurement, weighing or counting.

PROBLEM:- After the deal if the thing was measured or weighed in the presence of the buyer, then there is no need for the buyer to do so again. However if the thing was measured/weighed in his presence but before the deal was settled or the seller weighed / measured the thing after the deal but in buyer's absence, then it is not enough. It is not permissible, for the buyer to make use of the thing without measuring/weighing again.

PROBLEM:- The seller had weighed the thing before selling. After this, the man in whose presence the thing was weighed, bought that thing without weighing it and struck a deal

with it and handed it over to the buyer after weighing it. This is not correct nor permissible as the deal was done before weighing it.

PROBLEM:- If the thing is bought as a package' on a settled price for the entire package. If is permissible. However if the necessary to calculate the total cost/weight etc before taking possession. In case of lump sum right for example in the deal of metal where breaking in pieces is not possible, it is permissible to agree on any process of commercial before taking possession and after paying the cost.

PROBLEM:- Any alteration or change in price usage etc before taking possession if permissible, it can be sold, given in gift, monopoly, sadaqah, or will (wasiyat) every thing byway of Tasarruf (handling, usage) is allowed. Deal in prices is of two natures. Sometimes in terms of down cash, where the deal so does is open to all sorts of manipulatalion by the buyer. The second nature of price is mentioned by way of settled rate where the amount/price is not present. In such a case the thing in deal can not be handled by one except the buyer.

PROBLEM:- The cost of the thing in deal is of two kinds. One is that is fixed by way of weight or measurement where no alteration or manipulation is permissible. And the second norm of price deal is that even after fixing the mode of payment the exact nature of payment remains unsettle or unfixed (as by way of currency in exchange of cash price). For example a thing priced at Rs.100/- does not mean that the entire amount must be in one currency. It may be a 100/- rupee note, 10 notes of Rs.10/- each etc. But in case of a thing priced in exchanged of another object or animal the payable price shall not be other than that particular object.

PROBLEM:- The buyer raises the price for the sake of seller or the seller increase the object of sale. This is permissible. The increase in the article of deal or increase in its price in any shape or form, in the same sitting or after becomes binding. If the buyer repents afterwards as to why he took to raising the price or the quantum of the articles, it will be of no avail.

PROBLEM:- If the buyer increase the price, then to make this increase binding it is necessary that the seller accepts the increase in the same sitting and not afterwards or in another sitting. It is also necessary that the object under deal should be present. An increase after the destruction of the article is not admissible.

PROBLEM:- The seller can refuse the price of the thing for the sake of the buyer, for this the presence of the thing is not necessary. This decrease in the price is permissible even after taking possession of the object.

PROBLEM:- This increase or decrease even if accepted afterwards becomes part of the agreement of deal and it will be take as such for all subsequent processes. The price in any degree will have to remain. The price in total can not be dropped. No commercial deal is valid without the mention of the price howsoever little or reduced it may be.

PROBLEM:- The increase or decrease when made part of he agreement will enable the subsequent Murabaha or Tauliyah (with or without profit) being based in this agreement. The original price or the object will not be taken into account.

PROBLEM:- If the buyer wants to make a reduction decrease in the object, it will be permissible if the object/thing is of merchandise nature, subject to variation in the market that is it is of a fixed nature and not open to change, then no decrease will be admissible.

PROBLEM:- If the seller fixes a time limit for the buyer for the payment of price, after the initial agreement in which no time limit was mentioned then this time limit becomes obligatory for the seller. He can not demand payment of the price earlier then the time limit.

PROBLEM:- The time limit of a repayable deal (loan etc) can also be made subject to certain conditions. For example, A man owes Rs.1000/- to another payable under fixed time limit. The money lender can tell the indebtor that if he pays Rs.500/- by a certain date, the rest 500/- may be paid six months late than the agreed time limit.

LOAN - DEBT.

PROBLEM:- What ever is given or taken as loan should have the like of it (for return in the same commodity), either it may be in the nature of measurement, weighing or counting in numbers. Normally high priced things are not given or taken on loan, like animal, house, land etc. Loan dealing in such commodities is not desirable.

PROBLEM:- The broad principle in this respect is that whatever is proposed to be taken on loan, it should have its like in the market. Things of which similar ones are not available, to give such things on loan is not desirable. The thing which is considered out of the way in respect of giving as loan, if some one gets such a thing on loan he will become its owner as immediately on taking its possession, but it is not permissible for him to derive monetary benefit from it. But if he put is on commercial deal (sale) he will not be committing wrong.

PROBLEM:- Breads can be taken on loan by counting or by weighing. Meat should be taken on loan only by weighing it.

PROBLEM:- Raw or hard baked breads can be given or taken on loan if there is not much different in their cost.

PROBLEM:- To buy ice by weighing is in order. The price of ice purchased can be paid in winter, if it be mutually agreed. If there is any dispute in this behalf the matter can be settled, even with the intervention/decision by the Qazi, if dispute becomes of that acuteness.

PROBLEM:- Loan taken in cash and should be repaid in the same currency. If the currency then in vogue becomes absolute due to government. policy, then the loan should be in the new currency at the exchange rate.

PROBLEM:- In the matte of repayment of the loan, the fluctuation the rates of things taken on loan is of no concern. The loaned commodity should be repaid at the time of repayment, in cash or in commodity as the case may be.

PROBLEM:- Grain purchased in one city should be repaid at the cost value in another city if the lender demands repayments at the latter place if both men happen to he there. The indebter can not argue to repay at the place when grain was taken on loan.

PROBLEM:- IF the repayment of the grain is demanded at the cost of grain is higher, while the debtor wants to repay at his place of loan, then an assurance shall be obtained form the debtor that he would pay the debt at his place.

PROBLEM:- A thing taken on loan becomes the property of the debtor, he can have a deal

with the creditor. However if the creditor desires a deal of his own thing (which he has given on loan) will the debtor, he can not do so because he doesn't possess the right of ownership.

PROBLEM:- Loan should not be given to slaves even if he a trader or purchased on writ (Makati'b). Underage, lunatic, insane, nor can the be pressed if given a load and they refuse to payback.

PROBLEM:- A man takes loan in cash, the debtor comes to the creditor with money in hand to repay the loan, but the creditor under some reason till, the man to throw the money in the water which he does. But the real suffer is the debtor because be has not given possession (repayment) to the creditor. And if the seller brings the object of deal to the buyer or the trustee brings the thing of trust (Amanat) to the owner and they say to throw away the things, the loss in these cases will be that of the purchaser and the owner (because each ordered to throw away their object in their position of being the owners).

PROBLEM:- The debtor given something by way of gift or presentation (nazrana) to the creditor. If it is not under the impact of the loan but as gesture of mutual regard, then its acceptance is quite in order. However extra care is necessary in acceptance or rejection of such gifts or even invitation, because a slight inclination of self projection or under objection will not be in keeping with the dignity of such mannerisms.

PROBLEM:- The debtor is a habitual defaulter. If he persists in his non-payment of debt then creditor to take away any thing of the debtor of the kind which was given in loan. He can even snatch away the like things as repayment of his loan/debt. Other kind of thing or things he can not take without the debtor's consent.

PROBLEM:- To hand over a piece of land, on loan in return of a loan received from the land owner, who gives permission to the creditor to tilt and cultivate the land and make use of the produce, is not permissible in shariat. This is a manipulated way of giving things on interest (S'ud, usury)

PROBLEM:- The thing which is permissible to be given on loan, if it is taken on a limit period for use, (to be return in its original condition) if amounts to taking loan, and a thing which is forbidden to be given on loan, if it is for a short period, it becomes a borrowed article (to be return in original)

PROBLEM:- To return a loan given in rupees the debtor gives the creditor higher valid foreign currency telling to have it exchanged in rupee notes, take the amount of his loan and return the remainder to the debtor. If the foreign currency gets lost before being exchanged (from which the creditor would have taken his loan which he could not do) the loss will be tat of the debtor. If the foreign currency was exchanged was lost after its exchange in rupee currency, then the question to be decided will be (1) whether he has received his loan. If he has not taken the loan amount the loss is still that of the debtor. However if he has drawn the amount which was lost, along with the remainder then the loss will be of the creditor. If the debtor handed the foreign currency to the creditor asking to take his amount of loan, the loan will be taken as repaid. And the loss will be of the creditor.

The Interest Usury (Sood or Ribah)

The Holy Quran has strongly condemned the practice of promoting and adopting usury (su'd or riba) as a means of amassing unlawful riches. The warning is quite formidable as a deterrent. It is said,

"Allah has permitted Trade (commercial deal) and forbidden usury. Those who, after receiving Direction from their Lord, desist, shall be for given for the past. Their case is for Allah (to judge). But those who repeat (the offense) are companions of the Fire. They will abide therein for ever. Allah will deprive usury of all Blessing, But will give increase for deeds of charity. For He loveth not creatures (who are) un grateful and wicked (Surah Baqar(2) : Verse 275-276).

The Holy Prophet (Allah's grace and peace be upon him) has also condemned the dealing with usury in any manner. He said, "The man who accepts usury, who gives usury, one who writes the document on usury and those who stand witnesses to it, are all condemned as accursed." He has also said that though superficially the usury/interest gives increase in the wealth but in consequence and in the longer run it cause diminution/decrease in one's assets.

PROBLEM:- Usury in all forms in absolutely haram and one who does not believe in usury being haram is kafir and one who knowingly as such does any sort of dealing involving usury is Fasiq (transgressor) and condemned as a witness. In an agreement of mutual deal between two (party/person) when one side there is excess and on the other there is nothing, then this is usury (Riba/Su'd).

PROBLEM:- A thing which is sold by weighing or measure when it is exchanged with a like commodity and if there be an excess (caused deliberately), it is haram. But when this exchange is between two unlike things and the deal is not on weight or measurement, then the increase or decrease is not usury.. The thing on which the question of usury is applicable is on the basis of measurement and weight of the like commodities.

PROBLEM:- When both the criteria i.e. the like commodities and weight/measure exist at one and the same time then excess or decrease becomes haram as usury known in fiqah terminology as `Riba bil Faz'l'. And if one side is the cash and on the other side is credit (debt), this is also haram (known as Riba bin Nisyah). For example when wheat is exchanged with wheat or with barley, then any excess or decrease is haram. Or when one person gives one thing then and there whereas the other will give his equivalent some time later. This is forbidden.

PROBLEM:- The thing about which, the Holy Prophet (Allah's grace and peace be upon him) the excess in measurement has declared haram, it belongs to the category of deal by measurement and the thing in which excess in weight is haram is `deal by weighing'. After this Prophetic declaration, there can be no deviation or variation in the day to day dealings. If the common practice is not in keeping with this pronouncement. However where specific command of the Holy Prophet (Allah's grace and peace be upon him) is not available the commonly accepted procedure can be accepted as valid.

PROBLEM:- A thing of weighing categories if exchanged with a measurable commodity should be of equal worth even if there is difference in weight or measure.

PROBLEM:- In Shariat the least measure is half s'a. If any thing which is less than half s'a can be exchanged with another thing even if there is slight difference in their measure if they belong to the kind of produce.

PROBLEM:- Wheat, barley, date palm, salt or any other commodity which should be sold by measure according to practice under Sahariat Laws, if they sold by weight (as is the general practice in the market) this is permissible.

PROBLEM:- A fish can be exchanged with where fish is not sold by weight. However if fish is sold by weight then the two lumps of fish should be made equal in weight.

PROBLEM:- Fresh dates can be exchanged with dry dates if they are in measure, weighing in this respect in not reliable. This principle applies when dealing fresh fruits with dry fruits.

PROBLEM:- Wet wheat grains can be exchanged with dry wheat grains in equal measure provided the wet wheat is dried and then measured. Milk can be sold in exchange of cheese with modification in their measure.

PROBLEM:- Wheat grains can not be exchanged through equal measure with the floor or sattoo or the exchange of sattoo with floor is also not permissible, though if there be long to the same group of grains, even if they may be equal in weight.

PROBLEM:- In things where equality is the condition for the deal being valid, it is necessary that the knowledge of equality should be mentioned as the time of agreement of deal. If the deal is conducted without the knowledge of equality it will not be in order even if the commodities have correct proportion.

PROBLEM:- The deal of wheat in exchange of wheat was done but the possession on both side did not take place. This is permissible. Commercial deal of grains with its like kind or different kind (of grain) taking possession is not necessary, but this is permissible only when both sides are known to each other.

PRECAUTIONS AGAINST USURY.

Offering and accepting usury are both Haram in Islam. There is condemnation for both in the Tradition (Ahadees) of the Holy Prophet (Allah's grace and peace be upon him). At the same time it is necessary that we should avoid circumstances where by we may be forced to give usury/interest. However, if any just and binding necessity where money can not be obtained except taking loan with usury/interest as a compulsory condition, we must try to find and ways and means whereby we can avoid prying/giving interest as far it is possible. We present certain precautionary measures which would give us some relief from this unavoidable curse, keeping in view that by doing so the lender should also receive some benefits in the form other than plain usury/interest. It will only involve some change in the modalities of transaction which will ensure gains without resorting to unlawful and haram practices.

Note: At times there are situations in which there are superficially little or no difference between profit (nafa) and usury (su'd), through a slight change in the method or mode of deal. To illustrate this, we take some example narrated in the Ahadees (Tradition) of the Holy Prophet (Allah's grace and peace be upon him),

(1) It is reported that the Holy Prophet (Allah's grace and peace be upon him) sent one companion at the governor of Khyber. He brought some nice dates from Khyber and presented them to the Holy Prophet (Allah's grace and peace be upon him), inquired if all the dates of Khyber are of this nice and high quality. He said in negative and added `We exchange two s'as of ordinary dates with one s'a of these high quality of dates and for these s'as we take two sa's of these dates. The Holy Prophet (Allah's grace and peace be upon him) forbade to do so. He told him to sell the ordinary dates and with money so received he should purchase quality dates. He said to observe this principle in all deals where exchange/transaction is does through weighing.

(2) Once Hazrat Bilal (May Allah be pleased with him) brought some (nice) dates and presented them to the Holy Prophet (Allah's grace and peace be upon him). He asked Hazrat Bilal from where he got the dates. Hazrat Bilal replied `I had some old dates at home exchanged two s'as of old dates with one sa' of fresh dates. The Holy Prophet (Allah's grace and Peace be upon him) replied, "Alas! This is all usury (riba). Do not do so. If you want to buy these fresh dates, First sell our own dates and with amount buy the fresh dates. (Saheehain - Muslim - Bukhari)

From these Ahadees it is clear that the intention in each case to get the good quality of dates. It is the mode of dealing that make all the difference. If we exchange old date with fresh dates, it becomes usury/interest (Riba or Su'd) which is forbidden, but if we sell our old date and purchase the fresh dates, it is permissible. Here we present some instances which illustrate avoidance of taking interest, these have been suggested by the scholars of Islam.

PROBLEM:- A man had to receive Rs.10/- as loan/debt. He bought a thing worth Rs.10/- from him the debtor, took possession of the thing and after some time he sold the same thing for Rs.12/- at the hands of the same person on promise of payment at a fixed date. This made the man richer by two rupees. This is his profit (which is permissible) and the interest or su'd (which is forbidden).

PROBLEM:- A man demands repayment of his loan/debt. Which the latter to is unable to comply, but he sold his some thing for Rs.100/- to the loan given, who it look possession of the thing. After wards the loan taker bought the same thing at Rs.110/- with the promise of payment after a year. This transaction is valid.

PROBLEM:- A loan seeker sells a thing to the money lender for Rs.13/- on the promise of 6 months and gave him the possession, but the latter sells the same thing to a stranger who after doing Iqalah sells the same thing to the loan seeker for Rs.10/- and got the money, with the result that the money seeker gets his thing and the money lender gets Rs.10/-, but at the end the loan seeker becomes a debtor of Rs.13/-.

PROBLEM:- There is yet another way to avoid su'd (usury). Suppose a man asks his friend Rs.10/- as loan. He does not lent the money but suggest that he should buy a thing from him for Rs.12/- and sell it for Rs.10/- in the market and thus his needful will be done. The clever man sold that being for Rs.12/- which brought him profit and the deal is also in order from any su'd.

THE RIGHTS.

The subject matter discussed under this caption are more imaginary than real. The situations mentioned relating parts of residential accommodation/out house/extra structures, passages through the building are non-existent in the modern living. Similarly

these will be of real information/knowledge to persons studying Laws of Shariat through the medium of language other than Urdu.

BAI-E-SALAM.

PROBLEM:- Commercial dealing consist of four phases, (1) on both sides are (2) on both sides are price of thing under deal (3)on one side is and on one side price of thing

This is known as (4) when on both sides is price of thing, it is known as . In the 3rd phase where on one side is and on one side is price of thing, there are two sub division namely where the object of deal is necessarily to be present is known exact deal ( ) and where the payment of price of the thing is instant, it is known as

In the deal the thing which is to be purchased is a liability against seller and the buyer pays the cost price of the object on the spot and the amount j(rupees) which he hands to the seller is known as and and the other is known as and the price is known as .

The part of absolute deals are also in the deal. The presentation of offer and its acceptance are also necessary in the agreement of deal. There are certain conditions in the

which must be fulfilled. These are,

(1) In the agreement there should be no right of choice (Khayar-e-Shart) neither for both nor for one.

(2) In the cost price the nature of currency should be specified.

(3) The nature and denomination of currency extant at the place of deal should be mentioned clearly.

(4) Description of currency especially of coins, counterfeit as well as real is to be stated.

(5) The price/cost of the object of dealing in exact number of and evaluation will be mentioned, merely pointing towards a lump of currency etc will not be enough. If the object of deal are to be paid at different rates/measurement etc, then the nature of cash object, it number (if countable), measure/weight and the total cost against each must be clearly mentioned in the agreement.

(6) In the same meeting of agreement the possession of the capital (cost or price of the object) must in to effect in favour of buyer (Muslim Elahe).

PROBLEM:- The basis features of perfect deal of sale (Bai-e-Salam) is that the buyer shall become the owner of the price of the object and shall become the possessor of . When this agreement comes into effect and the presents the in time then has to be taken. However, if the thing is against the agreed terms then the will be forced that the thing on which has taken place should be presented.

PROBLEM:- can be accepted on the condition that the quality/quantity of the thing in the deal should be clear and definable, whether it is of the measure/weighing or countable in number category.

PROBLEM:- To strike a deal in respect of thing which has not been produced is not correct, for example, the fresh crop of wheat unless it is worthy of sale, is not permissible.

PROBLEM:- Things which are sold in numbers, (dozen etc) if their size and weight be also mentioned if permissible.

PROBLEM:- is not permissible in live stocks (animals), in slave or slave girl, cattle or birds, even in birds of similar, shape or size etc, for example pigeons, dove, and sparrow.

PROBLEM:- can not make any alteration with having paid the cost before and can not make change in the , for example he can not enter into deal of any kind what so ever. If gives the as a gift and he accepts it, then it will be taken as an iqalah of the deal and not a gift. In that event the amount will have to be returned.

PROBLEM:- To offer any thing else other than agreed in the transaction. For example, if the deal refer to the currency of rupees for payment of the cost, to offer Ashrafi or any other currency will not be in order.

PROBLEM:- To give any other thing in place of the agreed article of deal or take any other thing is not permissible. However if the offers any better which was agreed in deal then can not refuse to accept it. And in he offers any thing of lower quality, he can refuse it.

ISTISNA'A (Making, Manufacturing any thing)

Some times it so happens that a worker or craftsman is asked to make or manufactures a certain thing or things according to desired design, within a given period. If the period is not less than one month, then it is and all conditions which are applicable in such a deal will be observed, without considering any stipulation if this is according to extant culture or fashion. It shall only be seen that the deals conforms to the conditions applicable in such a deal. If there is no fixed time or less than a month then the Istisna will be in order. And thing which is out side custom, fashion as far as Istisna is concerned, then it will not Istisna to be treated as .

PROBLEM:- There is difference of opinions among the scholars whether Istisna is a commercial deal or it comes within the purview of promise. The latter (promise) is a thing not existing at the time or order. Some regard as a deal because a definite agreement with all relevant details of a valid deal. The worker or craftsman brings the manufacture good thus presenting the object of deal in fulfillment of the agreement.

PROBLEM:- The ordered thing shall become the property of amn only when it comes in finished form. The manufacturer can also give the thing to other man for better return. However once he enters in an agreement, he can not decline to complete it.

MISCELLANEOUS PROBLEM OF COMMERCIAL DEALS.

Earthen clay toys making cows, buffaloes, elephant, horse and clay toys meant for children should not be purchased, to do so is not permissible. These toys are also of no value and if some one breaks them, there is no compensation due against him.

PROBLEM:- Live animal such as dog, cat, elephant, panther, hawk, eagle, their deal is valid. Hunting animal/birds whether trained or untrained, can be bought and sold. Biting dog is not fit for training and its deal is also not allowed.

PROBLEM:- To buy (tame) monkeys for frolics and fun is not allowed and to play with for this purpose is also haram.

PROBLEM:- To keep dog and tame it to protect domestic animals, agriculture field watch and guarding the house and inmates and for hunting purposes is permissible. To keep dog for purpose other than these is not permissible. Even for these purposes dog should not be kept in side the house except where thieves/robbers are to be warned.

PROBLEM:- All sea/water creatures except fish can not be used for commercial deal, they include frogs, crabs etc insects living in earth holes, rats, musk-rats, lizard, chameleon, scorpion, ants their deal is not valid.

PROBLEM:- Non-believers including Zimmis have to follow Islamic Laws in respect of commercial deal. However if they deal in wine (liqueur) and flesh of swine, the Muslims authorities will not object provided they do not do so openly and freely.

PROBLEM:- If an non-believer buys the Holy Quran or any other Holy Islamic Books he shall be persuaded to make them over to a Muslim on payment of the price.

PROBLEM:- A man buys a thing but does not take its possession nor pays the price and disappears, but is known to be residing at a certain place. It is not open for the Qazi to sell the thing and received the price. If however his address is not known and if he later proves his deal on the strength of witnesses, then the Qazi or his assistant can sell the thing and pay its price (to the seller).

PROBLEM:- The widow pays for the coffin shroud of her deceased husband or some from his survivors pays for the shroud. If the shroud is of the required quality, the buyer can take the amount from the inheritance of the deceased. However if some one else pays for the coffin (and other funeral expenses) he will not receive from the inheritance. It will be an act of pretty and virtue of new era from the Divine.

PROBLEM:- Some one earns money through haram means or takes the money by force and purchase some thing. Now there are certain factors involved (1) He paid the same amount as price (2) taking this haram money in view he purchases the thing and pays the price from this money (3) bought the thing from unlawful amount but pays other money (4) without fixing the money in mind he simply order to give the thing from this amount (5) bought from the unlawful money but paid other money (i.e. not unlawful). In the first condition the deal is not halal for the buyer and the profit from is also unlawful. In the other three conditions the deal is valid or halal.

Warning: What thing becomes unlawful (faisd) in account of pre conditions and what does not makes it so and on what things can kept suspended upon condition or otherwise depends upon the following principles or formula.

What a thing is exchanged with another thing, it shall become unlawful/faulty with a faulty condition as a deal becomes unlawful what faulty or defective or improper conditions a re brought to bear upon it. And the thing is not to be exchanged with another material thing, the deal shall not be impermissible on account of improper condition placed on it whether the material thing it to be exchanged with a non-material thing/object (e.g. Nikah, Talaq

(divorce) and Khula in exchange of money), or if they pertain to deeds of virtue (eg. gift, will). In those affairs the imperfect conditions themselves become in applicable, or the debt if it is end in a shape of exchange (which is normally is not the situation) but since its motive in the beginning is on a note of virtue, the imperfect condition will not make it imperfect or unlawful.

The other principle is that the thing or affair in which the primary condition is securing possession (Tamleek) or making it binding (Taq'eed to imprison) they can not be made subject to conditions. For example in respect of having possession (Tamleek) we can quote the incidents of business deal hiba (gift) monopoly, Nikah, consent or confession (Iqrar).

In respect of Taqeed (to exercise option) in respect of some existing agreement, in this respect the right of a husband to resume matrimonial, in the light of Quranic permission, with the wife whom he has given Talaq-e-Rajee, To cancel agreement with a court advocate (with a view to appoint another one in his place), to with hold or withdraw privileges and concessions due a (bought) slave, (other postulates are purely presumptive or dialectical, hence skipped over).

Further example of imposition of faulty conditions which the business deal nul and void.

Making condition for fulfillment of agree. A man under debt if he imposes condition that he will pay the debt. This conditional willingness is not valid.

Agreeing on oath as a condition to do a certain job is not binding.

Tahkeen conditional for emulation of group of persons to decide a issue in not valid.

There are certain things/affairs which in spite of faulty condition remain in tact.

There are (1) debt (loan) (2)presents or gifts (3) Nikah (4) Talaq (divorce) (5) Khula (divorce through wife) (6) charity (sadaqah) (7) (8) pledge, pawn (9)

(10) Will (wasiyat) (11) partnership (12)

(13) (14) riches ( ) (15) (16)

(17) (18) (19) (20)permitting slave to trade and many others.

BAI-E-SARF
(Deal or exchange of price in one currency with price in other currency.

The word `Sarf' specifically in transaction deals for price, cost, wages or return of labour, while the term `Bai-e-Sarf' stand for a deal in which the price is sold (exchanged) with a price, in other words, the exchange or deal of a thing with a like thing in relation to currency (as a cash) with another currency (in commodity), for example, buying silver or silver coins of smaller denominations or buying gold with guinea (ashrafi). Some times it is the exchange takes place with an unlike commodity for example, to buy gold or guinea with rupee.

PROBLEM:- The word saman (price, cost etc) stands in the common sense the thing with the help of which things can be purchased and it is used for this very purposed and meant

for the specific purpose. It may be a natural prof produced (gold, silver, minerals etc) or designed by man (gold guinea, jewels etc).

The other kind of saman brought in the market as exchange units. If we call the first category as natural or created (Khalqi) the other kind of saman is artificial or in allegorical sense as human designed (or Ghair Kahlqi) eg. paper currency, small change coins.

PROBLEM:- When a silver is exchanged with silver or gold is exchanged with gold (in both cases the medium of exchanges is like commodity), it is necessary that they should be of equal weight and the deal should be conducted in the same sitting with the possession being given to each party of deal.

PROBLEM:- In the deal of mixed commodities of like nature there can not be a choice of selection. It means that permissible that in the event of mixed deal containing lumps of genuine and counter feit ones, all the genuine article be placed at one side though in small quantity and equated with the counter feit articles on the other side in a larger quantity. (The genuine and the counter feit can not be equated irrespective of the quantities offered in exchange.)

PROBLEM:- In a deal involving commodities of different nature and quality their weighing is not necessary, because weighing is necessary only when equality of thing in weight is the criterion. But in such a deal it is essential that the possession of commodities (articles of deal) id given to both the parties in the same sitting, if the sitting is dispersed before the possession, the deal will become invalid.

PROBLEM:- Bai-e-Sarf (exchange of price in one currency with price in other currency) is not valid through promise or through correspondence as in both the cases the possession of the respective parties is not possible in the same sitting.

PROBLEM:- If the Bai-e-Sarf correctly takes place then the exchange mediums on both side can remain undetermined in terms of nature and quality, for example, a rupee can be exchanged with any other rupee provided it is genuine, the presentation and acceptance this can take place as a valid deal.

PROBLEM:- IF the deal of Bai-e-Sarf the imposition of Kharar-e-Shart (right of choice) renders it nul and void. Similarly, if from any side the time for payment is proposed (as against on the spot) the deal does not remain in tact. However, if in that very sitting, the right of option (Khayar-e-Shart) and time for payment are withdrawn, the agreement of deal will become valid.

PROBLEM:- If in the deal of gold - silver any side proposes payment on credit, the deal becomes faulty. Unless the person desiring payment on credit pays the full amount before dispersing.

PROBLEM:- In making purchase of nay thing of gold and silver, the buyer has the right of finding fault (khayar-e-Aib) and the right of examining its quality (Khayar-e-rujat). There is no khayar-e-rujat in the deal of rupee - gold guinea, but there is khayar-e-aib.

PROBLEM:- Unless the buyer takes the possession of the thing, he can not make any use of that thing. If he gives the thing as a gift or sadagah or forgives the entire cost and the other person accepts it, then the Bai-e-Sarf becomes invalid.

PROBLEM:- The silver which is used in the sword as an alloy should be less in cost than the

silver to be paid as a price of that sword. The relative cost of both (the silver in the sword and the one to be paid as price) should be carefully examined to make the deal valid and avoiding as a deal of unlawful gain or su'd.

PROBLEM:- If there is dirt in gold and silver and the metal as such is dominant, then the thing will be assumed as of gold or silver, and if they are sue as medium of payment for any object of gold and silver, then the balance on both sides should be equal in weight. Also in the matter of debt/loan their weight will be the criterion.

PROBLEM:- When alloy in the gold and silver is dominant, then it can not treated at par with the real gold and silver. If this alloy is uses a medium of price of a thing made of gold/silver then the quantity of gold/silver should be made equal to that in the alloy. Otherwise the bai-e-sarf will not be valid.

PROBLEM:- The rupee coins in which the element of alloy is dominant, their use in the matter of deal and debt/loan is permissible as by weighing or counting numbers. If the system is that of weighing the by that method (weighing) and it the system through counting (in number) then it should be employed.

BAI-E-TALJIAH (FEIGNED OR DECEPTIVE DEAL).

PROBLEM:- When a man wants to undertake a deal with some person, but fears that if his plan is out some other (whom he knows)will snatch away the thing by force which he can not resist. He will arrange a feigned deal with the buyer, but in reality it will be just a show. HE will also arrange witnesses to this effect. For Bai-e-Taljiah it is necessary that the must speak out his mind before other persons, merely thinking in wanting the deal will not be complete, although Taljiah is at heart only a joke, a buffoonery.

PROBLEM:- By implication `Taljiah' deal is a `suspended' deal. It can be turned into a real deal id the parties concerned so desire. If they refuse it, the deal will stand rejected or cancelled, when such an situations is part of the agreement. In the event of the deal being Taljiah or other wise, the matter shall be resolved by producing evidence on either side.

BAI-UL-WAFA (DEAL OF COMPROMISE).

This also known as BAI-UL-AMANAT, (deal of Trust), BAI-UL-ITA'AT (deal of Fealty) and BAI-UL-MU'AMLA (deal of Mutual Affair). The basic or fundamental under standing between the buyer and the seller in this deal is that when the seller returns the price of the thing (in deal) to the buyer he will return the thing to the seller. This may also be used in taking and returning the debt/loan within the stipulated time.

PROBLEM:- Bai-ul-Wafa is in essence a kind of ;ledge or pawning a thing on certain conditions. The thing is pledged by way of deal so that it may be used as a commercial enterprise to earn profit. Which will be equally distributed between the pledger and the pledge.

If the thing pledged is lost or destroyed, then the amount due against the pledger will also lapse provided the due is equal to the amount of debt.

PROBLEM:- The affairs involved in the Bai-ul-Wafa are of complex nature as also opinions of the scholars are of varied nature.

MUZA'RABAT

This is in a sense a partnership in a business or commercial transaction. In this partnership on one side is the finance (capital) and on the other side is the labour or skill to undertake agree business. The person who supplies the finance is called the and the one who undertakes the work of running of business through manual and skilled labour is called `Muzarab' ( ), and the finance supplied by the owner is known as or capital. If according to agreement the whole of the profit is to be given to the owner/capitalist, the process is known as and if the entire earning is to be given to the worker, then it would be (loan).

In the modern business, the association of capital and labour has become the necessity. Neither the capitalist nor the labour/worker handle the growing business enterprise on his own. The worker needs financial assistance to earn his livelihood by engaging himself is some skill cum- manual pursuits. The capital too can not increase by remaining idle at home or in the bank. The institution of Muzarabat in the ever growing commercial transaction is thus of great help and profit to both the partners in Muzarabat deal.

PROBLEM:- There are some conditions in the Muzarabat.

(1) The capital should be in the form of price i.e. money or exchangeable currency, but not of the nature of assets or the articles as such. However articles can be sold and with the price so received the process of Muzarabat can be undertaken.

(2) The capital should be present and noticeable. In the event of difference in the quantum of capital at the time of distribution of profit the matter should be resolved through the process of witnesses and evidence.

(3) The capital should be an absolute reality as such, duly calculated and computed, known as hard cash, not in the from of loan or document of loan/debt.

PROBLEM:- By selling anything and with the amount so received as its price and utilizing the amount as capital or part of capital is permissible. The amount kept as trust with any one or the amount forcibly taken by some can be utilized as Muzarabah by agreeing to divide the profit 50-50 is also permissible.

(4) The entirement of capital (to be utilized in Muzarabah) should be made over to the worker and the latter should have complete possession and control on the capital, free from all interference by the capital owner.

(5) The profit should be divided according to agreed formula, 50 - 50, 1/3 - 2/3, 1/4 - 3/4. The ratio of the profit should be definite and not subject to any kind of provision.

(6) The share of each one should be known and specific and free from all ambiguities likely to crop up now a afterwards.

(7) The giving of profit to the worker should be binding on the person investing capital in the Muzarabah. If the profit is partly given from the capital or party from capital and partly from the profit, then the Muzarabah will be nul and void.

PROBLEM:- The Muzarabah implies that when the capital is handed over to the worker (Muzarib) his position becomes that of a trustee (Ameen), and when he starts working be assumes the role of a vakil (guardian of interest) for both side and when earning /profit becomes the partner (shareek).

PROBLEM:- The loss in the Muzaraba is the liability of the capital supplier (Rab-bul-M'al). However, if is desired that the loss should be borne by the worker and not by the financer, then they will have to the procedure as under.

The financer should treat the amount as loan to the worker and add to it one rupee as a token of partnership Now both will work together and will share equal profit. If the loss occurs the loss will be of the worker who after taking the entire capital as loan becomes the finance owner. The loss of real financer will be only one. Now he can receive the debt which has become due against the pseudo financer, i.e. worker.

PROBLEM:- If Muzarabat becomes nul a void. It is converted to monopoly which means that the worker (as a partner) will not get the share in the profit, but he will receive the wages proportionate to his labour, whether or not there is a profit in the enterprise. However the amount of his wages shall not exceed the profit that he would get if the muzarabah had continued.

PROBLEM:- In the event of the Muzarabah but inoperative, the sum of money that remains with the worker, is like a trust (amanat) with him. If some loss occurs, then as an ammen (trustee) the compensation will not lie with him, in the same way as in the regular and valid Muzarabah there is no question of compensation for any loss.

The worker gives an amount to some one and receives the entire profit to himself (as the owner of the capital), Here too the capital is an trust with him and as such if any loss occurs there is no compensation or guarantee payable.

PROBLEM:- The worker will not undertake a work which involves physical injury nor engage himself in a work which the business men as a practice do not undertake, nor allow time limit to others which the businessmen do not deal. If there is a partnership of two worker to work jointly, then one of them alone can not do any business of buying, selling unless he gets approval from his colleague.

PROBLEM:- In the event of an irregular or faulty deal any thing purchase becomes the property of the buyer, this is not an act of opposition and deal will still be called Muzarabah. If however the thing is purchased with deliberate intention of fraud or usurpation (Ghaban-e-Fahish), then it will an act of (clear) opposition, and this thing will be the property of the worker even if the owner (supplying finance) allows the worker to use his discretion. If now the worker sells the article with intention of deliberate fraud, his act will not be deemed or opposition.

PROBLEM:- If the capital supplier (finance) imposes conditions upon the worker (the other partner of Muzarabah) in respect of the city (place), time or the nature of business, then it becomes binding on the worker to abide by it. Further, if the financer restricts deal to some definite person as seller or buyer, the worker can not defy it. although he did not mention these restrictions at the time of agreement or handing over the amount to the worker or added then afterwards.

PROBLEM:- The worker enters into an agreement with person with whom his evidence is not

reliable, for example, his father, his son, or his wife. If the deal in such as case is of a moderate nature, it is permissible, otherwise not.

PROBLEM:- In the event of death of any of the two partner the Muzarabah becomes in operative as also when any one becomes mad. If the article are in the shape of business, and if the worker dies then the exactor of his (wasi) can sell the entire lot of articles. If the owner (financer) dies and the commodity of deal is in the shape of cash amount, then the worker can not interfere and if the deal is of physical nature, he can not take it in his travel (out side). He can however sell it locally.

PROBLEM:- If the worker dies and it is not known where the articles of deal are, then the article in his possession prior to his death will be deemed as debt/loan against the deceased and it shall be recovered from his inheritance.

PROBLEM:- The worker dies and there is debt outstanding against him, but the articles of Muzarabah are known and as such the creditors can not claim repayment of their debt. The capital and the profit will go to the financer. The creditors can get repayment of debts from the share of the profit due to the deceased worker.

PROBLEM:- In the deal of Muzarabah the loss and or destruction in the capital is adjusted to wards the profit of the Muzarah. There is no consideration of loss in the Muzarabah. For example, the capital of Rs.100/- (on earlier time, this was considered an assets/capital. Time has much changed since ! Translator) if the profits is Rs.20/- and the loss Rs.10/- then this loss will be adjusted (recovered) Towards the profit and the net profit shall be deemed as only Rs.10/-. However if the loss is so much which the profit can not fulfill, IN this case the loss will be taken as in the capital. Half of the loss (50-50) can not be recovered from the worker, because he is the Ameen (trustee) and there is no compensation against the ameen, even if the loss has occurred from the worker. If however the worker does some thing deliberately which causes loss, then the loss shall be recovered from him because his action was not authorized in the agreement.

PROBLEM:- The process of distribution of Dividend/Profit will take place after returning the capital of the financer of the Muzarabah. To distributor of profit before returning the capital in full to the owner will be invalid and unjust. Supposing the capital is lost, then the shortage shall be compensated by withdrawing the amount from the profit to complete the amount of capital invested in the Mozarabah. The remainder of the profit should then be distributed.

PROBLEM:- In case of dispute between the owner (financer) and the worker in respect of quantum of profit fixed/unfixed in the agreement the issue shall be decided by the Qazi (court of Islamic Jurisprudence) on the strength of the witnesses form both the sides. However weight age should be given to the owner of the capital when the dispute specifically relates to capital employed and utilized in the Muzarabah, without the capital/finance the Muzarabah as such has no "locus standi".

PROBLEM:- The guardian/executer of the will on behalf the minor inheritor takes and utilize the amount by way of Muzarabah. This step is held valid by the Ulema who would like to add one more stipulation in that the world take only that much profit as he would have given to other person.

PROBLEM:- The worker buys something from the capital of the Muzarabah, but he is not inclined to sell the thing right now. This he would do when greater profit is coming forth. But the owner insists to sell the thing if on a small profit. the worker will have to comply

with the owner plea, However if the worker pleads that a later date he will return the capital alongwith a larger sum of profit. The owner, in that case, would be compelled to do as the worker proposes.

Miscellaneous

In this chapter, problems relating to different aspect of our daily life what we may call routines or etiquettes and the laws of shariat about them, especially what modes of behaviour beneath them are permissible or impermissible (Jaiz and Najaiz). By the very nature of title, this chapter is not confined to any particular subject or of shariat law and its thread pare analysis and interpretation as we have hitherto done. We begin to the most common practice of our daily relating to Eating and Drinking.

It is said in the Holy Quran,

(O you who believe! do not declare as forbidden what Allah has made lawful for you and do not transgress. Surely Allah does not love those who transgress.

And eat of what Allah has give you provision permissible pure and fear allah if you believe unto him.)

It is further proclaimed

Eat of what Allah has give as sustenances and follow the footsteps satan. Indeed he is your open enemy. It is said in the Hadees of the Holy Prophet (Allah's grace and peace be upon him), The food on which `Bismillah' is not recited before eating, the satan partakes it as if becomes accessible for him. A companion Umar bin Abi Salmah says that when he was a child under the care of the Holy Prophet (Allah's grace and peace be upon him), he used his fingers every where in eating utensil. The Holy Prophet (Allah's grace and peace be upon him) directed him to eat from what is in front and not to more hand in the utensil. To recite the Name of Allah before eating is essential. If any one forgets, he should do so at the end, reciting

In the Name of Allah, in the beginning of It and at the end of it (ie. eating). Reciting the Name of Allah of increase (blesses) the victuals. The Holy Prophet (Allah's grace and peace be upon him) has said that eating together and reciting the name of Allah, increase the nutritive quality of the food and satisfies the hunger. The food on which the name of Allah is not recited is a (source) of disease. The compensation for it to eat some thing from the food still on the table cloth will the Name of Allah, and if the food has been removed, he should lick his fingers by reciting the Name of Allah.

He has also said that after taking the food he should recite,

In the Name of Allah and allah with Whose Name nothing can harm in the earth or in the sky. O Ever Living! O Ever Staying! This will prevent you from all kinds of disease and ailments, even if the poison is mixed in the food. Further commandments in this respect may be summarised as under,

Eating and drinking with right hand, to do so with left hand is the practice of satan.

Eating with three fingers is the tradition of the Prophets of Allah. Eating with all five fingers is forbidden as it is the practice of the uncouth and uncultured ones.

After eating the fingers and the pot should be licked, one does not know at what part of the food lies the blessing.

To below air and breath in the utensil is forbidden.

If a morsel of food falls down, it should be picked up, cleaned and eaten. To leave it uneaten is to invite satan to eat it.

Pay due regard to the bread, it descends from heaven and contains blessing of the earth.

One who picks up and eats the fallen cramp of bread, receives forgiveness from Allah.

No one should rise from the table (cloth) until all men have their food.

No one should withdraw hand from the food while others are still engaged in eating. He might slow down and give an impression of joining with others. In case of an emergency, he may excuse and leave the place. To give up eating while your companion is busy, would cause him in convenience.

The Holy Prophet (Allah's grace and peace be upon him) has emphasized that after eating food the following `dua' should be recited,

(All praise due to Allah who gave us food and drink and us Muslims).

Put off your shoes at the time of eating, it is graceful habit. It also gives relief and comfort to feet.

To eat with the help of the knife and fork is undesirable, it is the habit of the un islamic people. The use of knife and fork may be allowed when the items of food can not be broken in pieces with hand and teeth. It is reported that on some rare occasion the Holy Prophet (Allah's grace and peace be upon him) has made use of knife and fork while taking food. However, this should be taken as a general permission.

The Holy Prophet (Allah's grace and peace be upon him) did not take food while reclining against a pillow (or cushion).

The Holy Prophet (Allah's grace and peace be upon him) never criticized or spoke against any preparation presented to him.

He had said, `the food for one suffices for two, food for two, suffices for four and that of four suffices for eight.

He said, "Measure your food (the minimum quantity you need to satisfy your hunger). This way lies the blessing vessel than his stomach. A few morsels are enough to keep his back straight. No more than one third food for eating, nor more than third of breaths for living, are enough to sustain life on earth.

To refuse taking as a formality while there is hunger, is committing two sins at a time, not taking food when presented and telling a lie in there being no hunger.

People (rich and wealthy) who take food and drink in golden and silver vessels, fill their belly with fire.

When a fly falls in food or drink, it should be dipped full two times in that pot and then thrown away. In one wing of the fly is the disease and in the other wing is the cure of the

disease. The fly by nature dips the disease wing and saves the cure wing while falling in the eatable. By dipping the whole fly twice neutralizes the ill effect of the disease and restores normally and health.

PROBLEM:- In some cases taking food is obligatory (farz) and not taking is an act of sin. If the hunger is to such an extent that remaining a more hungry may cause death, the taking food is obligatory and refusing to take anything is a grave sin (almost amounting to suicide which is haram).

PROBLEM:- In a state of extreme necessity when life hangs un balance, things which are manifestly haram becomes Halal but only' to the extent that one may survive and not at all for pleasure nor in a quality more than minimum quality of drink of a haram liquid is allowed to save life.

PROBLEM:- If some one has a thing which can save the life of a dying man, but he refuses to give the thing on request or on payment, then in such a case the thing can be snatch away from that cruel fellow by force.

PROBLEM:- Human flesh is absolutely forbidden, what ever the reason or situation may be.

PROBLEM:- Dead corpse and the wine are not allowed as medicine.

PROBLEM:- Eating should be slightly less than satisfying full hunger.

PROBLEM:- Avoiding food and drink that incite lust is an act of piety.

PROBLEM:- The sunnat etiquettes of taking food are (1) to wash hand before and (2) after taking food (3) not to wipe hands before taking food and (4) to wipe hands after eating so that no trace remains of the things taken.

OTHER ETIQUETTES / MANNERISMS

Nothing should be kept on the bread while taking food. Hands and knife should not be wiped with bread. Eating with the left hand reclining on floor is makrooh.

Talking pleasant thing while eating is good. Keeping utter silence while eating is the habit of the Magis (Majusis).

After eating the vessel should be cleaned with fingers. It is reported in Hadees Sharif that the vessel prays for the person who cleanses it with fingers that Allah may deliver him from the Fire of the He'll as he has delivered him from the Devil. It is also reported that the eating should begin by taking some salt and also and with it. It gives relief from to diseases.

PROBLEM:- Eating in the open and bazaar is makrooh.

PROBLEM:- To criticize and pick up faults in food preparations is against the Tradition of the Holy Prophet (Allah's grace and peace be upon him).

PROBLEM:- It is customary that while taking food some arrives and he is invited, he says `BISMILLAH'. Saying Bismillah is meaningless. Ulema have objected to this practice. Instead he should say `May Allah increase your livelihood' or any `dua' of this kind.

PROBLEM:- If a needy person is unable due to weakness or oldage to work and manage his livelihood, it is not a shame for him to beg for help at the doorsteps of neighbour and others. If he dies of hunger by not begging food, he will be guilty of grave sin.

ETIQUETTES OF DRINK IN (WATER).

In this respect, some of the Ahadees of the Holy Prophet (Allah's grace and peace be upon him) are given below.

The Holy Prophet (Allah's grace and peace be upon him) used to DRINK water with three breaths (as a break not in one gulp). He said this way water becomes pleasant, useful and satisfies thirst.

To say `BISMILLAH' before drinking and `AL-HAMDO LILLAH' afterwards.

One should not breathe into the cup, glass etc, he should withdraw if for a moment, before resuming to drink.

Drinking in gold and silver sup/vessel is forbidden.

The Holy Prophet (Allah's grace and peace be upon him) gladly took the drink which was sweet and cool.

While taking water at night, the container (pitcher etc) should be shaken. However it closed with a cap or lia shaking is not necessary.

He has said to drink water as if sucking it. It is pleasant and digestive ad a safeguard against illness.

Hazrat Ayesha Siddiqah (May Allah be pleased with her) once enquired form the Holy Prophet (Allah's grace and peace be upon him) as to what things are forbidden being called `not halal.' He replied `Water, Salt and Fire.' She said, `I understood about water ! But why are salt and fire are forbidden being `not halal'. The Holy Prophet (Allah's grace and peace be upon him), answered, "O Humariah! (May Allah be pleased with her), The one who supplied fire, he gave sadagah for every thing which his cooked on fire. And the man who gave salt, he made tasty and delicious all things with the salt and thus he offered sadaqah of all thing corrected by the salt. And the man who supplied water at a place, where water is not available it is as if he gave freedom to a slave."

It is a practice to throw away the remaining water of the glass after drinking from it, calling it "Jhoota" (unclean). It is a legacy from Hindus who believe and practice, untouchablity. There is no such thing in Islam. It is a sheer waste which is forbidden.

The water of Wazoo (ablution) and Zam Zam should be taken in standing posture and all other drinks should be taken in sitting position.

VALIMA AND DINNER

The Holy Prophet (Allah's grace and peace be upon him) blessed the marriage of his companion Hazrat Anas and asked him to arrange valima in celebration of his marriage, even if it be only one goat.

The Holy Prophet (Allah's grace and peace be upon him) has cursed the valima dinner in which only the will to do people are invited and the poor are left and ignored.

One who redeclines and refuses to attend the valima (and other ceremonial dinner) without any valid reason, he is guilty of disobedience to the commands of Allah and His Prophet (Allah's grace and peace be upon him). And one who goes to a dinner without being invited is a thief who enters a house one comes out after dacoity, without being detected.

Valima on the first day of wedding is Haq (True and Divine) on the second day it is sunnat and on the third and thereafter it is sun'ah meant to let it heard by other and for display (of one's riches etc) and one who does it will meet a fate (punishment) about which their will hear!

If two men come at one and the same time with invitation, then the one whose door is nearer yours should be given preference.

The guest at home should be given comfort and respect in full for at least one day and night. However the care and comfort lasts three day and thereafter it becomes sadaah of which he is entitles, the guest should not therefore become a burden on the host.

PROBLEM:- To attend valima and other dinner, is sunnat and the invites must go there after making sure that there is no wasteful guilty and urn just to display one's position in the society and his wealth.

PROBLEM:- A man known for his learnedness and devotion may attend the invitation id he is sure that his presence will (indirectly) compel the host to desist form such an activity. Other wise he will himself give a justification for wasteful display and pleasure.

PROBLEM:- While eating the dinner at come one else house, it is not open for the guest to give anything to a beggar if he begs. He is there not as an owner, he is only a guest and the food before him has been given for him to eat and not to distribute.

PROBLEM:- The guest should observe four principles of mannerism and etiquette; (1) He should sit where he is made to sit. (2) He should eat whatever is presented without any demur or objection, especially calling it of a quality lower than what he takes at his own home. (3) He should not leave the place without the per mission of the host. (4) He should pray for the will fare and prosperity of the host and his family member while saying `Khuda Hafiz' to them.

PROBLEM:- As far as possible, the host should personally look to the comfort and requirement of the guest. Then things should not be left to the servants etc. This is the sunnat of Hazrat Ibrahim (Alahis satam). If the guest is alone or they are few it is morally incumbent on the host to sit among the guest(s) and partake of the food and serve them meekly and willingly.

PROBLEM:- If some one sends gifts and present. If the man is known for possessing wealth of halal and haram nature, then it is necessary to ascertain what kind of wealth dominates. If it is of halal quality then alone he should accept the gift of such a person. Otherwise he should politely decline to accept it, even in this refusal no harsh or offensive language

should be use.

PROBLEM:- If a debtor shows unusual hospitality to the creditor and trains to entertain him softener than usual, then it can be assumed that he is doing so on account of the debt/loan against him and with a gesture of a fraternal well being. In such events caution is of utmost necessity, because if a debtor gets displeased for any reason, he may cause in convenience to the creditors.

UTENSILS - VESSELS.

PROBLEM:- To eat and drink form the utensils of gold and silver and to apply oil from such like cups or use perfumes for bottles or perfume metallic containers all these are forbidden for both men and women. However women can use gold/silver ornaments etc. Apart ornament, the use of silver and gold in any way is forbidden for men and women alike.

PROBLEM:- Using silver/golden spoons, collyrium holders and sticks to see in the mirrors of silver/golden frames, pent ink pot, to make ablution from such post or sit in chairs of these make are forbidden for men and women.

PROBLEM:- Wearing silver/golden ring with mirror is permissible for women but they are forbidden form looking in these mirrors.

PROBLEM:- Using the pots of silver and gold, wearing gold watch and looking time in them are forbidden.

PROBLEM:- Decoration pieces made of these metals are prohibited.

PROBLEM:- Apart from gold and silver utensils/pots/vessels made from any other metal are permissible. But as pots, earthen wares are be best. it is reported in the Hadees that earthen / clay vessels and object which the angels descend to see and pay homage.

PROBLEM:- Cups and glasses having silver/gold linings and designs are permissible, provided these metals do not come in contact with hand and mouth while drinking water from them.

PROBLEM:- Electroplating of gold and silver on vessels is permissible.

DRESS.

The Holy Prophet (Allah's grace and peace be upon him) has said that the best dress with which you can visit graveyards and offer prayers in the masjids is the white one. The coffin shrove are also of white cloth. Summarized version of the Traditions (Ahadees) of the Holy Prophet (Allah's grace and peace be upon him) is given below,

The sleeves of the shirts of the Holy Prophet (Allah's grace and peace be upon him) stretched up to the end to the wrists. The two edges of his Turban (Immah) were kept hanging between the two shoulders. He has asked to use turban (Imamah), it is the emblem of the angels and keep it down on the back. He said the difference between the Believers and Non-believers is that while we use Imamah on our caps (and they don't do so).

Hazrat Ayesha (May Allah be pleased with her) said that the Holy Prophet (Allah's grace and peace be upon him) told her that if she desired to meet him in the Hereafter, she must be content with as little worldly assets as is necessary for a traveler while going on journey. Do not sit near above the wealthy people. Do not thing a clothing as old and unserviceable unless it has patches on it.

Once Hazrat Hafsah come to Hazrat Ayesha (May Allah pleased with them both) wearing a thin head covering. Hazrat Ayesha tore the thin head covering and her another head covering of thick cloth.

The Holy Prophet (Allah's grace and peace be upon him) has said that any one who puts on clothing for pomp and popularity, on the Day of Judgment Allah will wrap him in clothes of disgrace and dishonor. He has also said that any one who gives up wearing rich clothing out of humility and selflessness, on the Day of Judgment Allah will provide him the appeared of dignity and elevation. He has also said the if a person has enough means and resources his outward keeping and appearance must show glimpse of his being favoured by Allah in making him rich, wealthy and above petty wants.

The Holy Prophet (Allah's grace and peace be upon him) has said,

Silk and gola are permissible for woman of Muslim, while these are forbidden to menfolk.

Spreading the skin of he beasts is forbidden.

It is reported in the Hadees that once Hazrat Umar (May Allah be pleased with him) put on new clothes and recited the following dua,

(TRANSLATION:- All praise is due to Allah Who clothed me which covers my shame and gives me beauty in my life).

He said `I have heard from the Holy Prophet (Allah's grace and peace be upon him) that any one who recites this dua on wearing ness clothes and give his old clothes in sadaqah, he will remain in the Protection and Peace of Allah in this life and after this, in the Hereafter.

He said, `any one who imitates the people of other nations he becomes like them and one of them. This Hadees all aspect of life and faith. In guides what people we should follow in respect of clothes (dress), habits and characters and whom we should avoid initiating or copying. To seek resemblance with unbelievers transgressors, lewd and debanchees is to debase and degrade oneself to the lowest state among the human beings. On the other hand to follow and endeavor to become one to those who are known for their piety, righteousness, love and sympathy for the down tradden is the very essence of life with enduring benefits not only in the world but also in the Hereafter. A Muslim must try to keep himself above and distinguished from a Non Muslim.

The Holy Prophet (Allah's grace and peace be upon him) has cursed those women who wish to look and behave like men, by adopting the dress, the mannerism and general appearance of the menfolk. Similarly he has cursed those men who imitate women in all these respect.

It is said in the Hadees that the bed or cushion on which the Holy Prophet (Allah's grace and peace be upon him) used to sleep was made of leather in which the dry rind of he date was stuffed. So was his pillow.

PROBLEM:- The daily wear (dress) should be such (simple, and light) that hides the shame and protects from cold and heat in season. If by the Grace of Allah, there is enough to maintain the appearance especially in dress, it should be only with a view and by the way of Thanks giving to Allah and not to display the riches and extravagance. That leads to arrogance and pride and breeds contempt for the poor and the down trodden.

White dress id preferable which has also been praised in the Hadees. Black colour is also likeable. When the Holy Prophet (Allah's grace and peace be upon him) entered the Mecca Moazzam after conquest he had black turban (Emamat) over his head.

PROBLEM:- Pure silken clothes are forbidden for men. However cotton and silk mixed clothes may be worn but not as a habit. While silken clothes are permissible to women, whether the silk is artificial or real.

PROBLEM:- To stitch an amulet (Taweez) in pure silken piece of cloth is not allowed whether it hung with neck or tied on the arm.

PROBLEM:- To wear black clothes as a sign of mourning in the family where some one had died is not allowed.. Black badge as a sign of grief is also forbidden.

PROBLEM:- During Muharram form Ist to twelth wearing of clothes in black, green and red colour is not advisable. Black is the colour belonging to RAFZIS, Green is the way of Tazia Mourners and the Red is the sign of happiness of the KHARJIS.

PROBLEM:- Pajama is a sunnat dress as it cover the shame parts extensively. However it is reported that the Holy Prophet (Allah's grace and peace be upon him) did not put on pajama. He used to wear Tahband (long piece of cloth tied round the back above the abdomen).

PROBLEM:- Wearing leather coat (posteen) is permissible. Many scholars of Deen and Mashaikh (heads of spiritual sects have used posteen). Leather jacket may also be taken as a posteen. The animals which are forbidden, if their skins are tanned and dried their skins can also used for making posteen, as also as Musalla for offering prayers. However such a thing should be avoided, because after all the animal was a forbidden one and the emergent necessity for its use has not arisen. In Hades the skin of tiger while in riding has be forbidden.

PROBLEM:- Wearing of dress (shirt, pajama etc) should begin from the right side, which the shirt should be worn by putting the right hand in the sleeve, then the left sleeve. Similarly, while wearing pajama the right foot should first be used, then the left.

EMAMAH (TURBAN)

To tie (wearing) Emama (Turban) especially in offering Namaz is sunnat and carries much reward (sawab).

PROBLEM:- While wearing Emamah, the edge (Shimla) of should be kept hanging between the two shoulders. Wherever the Emama is to be tied again, it should not be thrown on the ground to pick up the edge and open it, Rather, it should be opened slowly and in the circular war in which it was the first instance.

PROBLEM:- Emamah should be tied in standing position and the pajama he put on while sitting, any one doing opposite to it will suffer from an uncurable disease.

PROBLEM:- It is established that the Holy Prophet (Allah's grace and peace be upon him) often put on cap, and whenever he wore Emamah he kept the cap below the turban.

PROBLEM:- The Emamah and the pajama should not be used as a pillow] (in one way it is disrespect to Emama, and in other respect it is disrespect to the head - Translator)

PROBLEM:- To hang amulet (Tawiz) round the neck is permissible as it contains Quranic Verses, The Names of Allah and words of dua. It is prohibited in some Hadeeses but these refer to amulets, which contain words/in vocative phrases which were extant in the pre Islamic days and were contrary to inscriptions prescribed in books of Ahadees and prayers. It is also permissible that the verses/phrases of amulets can be written with saffron on dish plates and the water of it wash be given to patients for cure. Bed sheets or Musalla cloth with Holy words / verses etc. Written or painted on it should not be used for these purposes. They may be preserve as decorative pieces or kept safe from being disrespected. This also applies to table cloth (dastar khwan) which also at times are decorated with verses or lines of poetry.

WEARING SHOES

The Holy Prophet (Allah's grace and peace be upon him) has said that while wearing shoes the right foot must first be put in the shoes and while removing the left foot should be freed first. One should not walk with only one shoe on. He should use both shoes or walk bare feet. Women are forbidden to wear shoes meant for men folk. The woman must preserve the dignity of being a woman.

It woman initiates a man even in matter of wearing shoes, she degrade her dignity of woman hood as was the common and disposition of Allah in her creation.

The Holy Prophet (Allah's grace and peace be upon him) has commanded to remain barefooted afford ones.

WEARING RING AND ORNAMENTS.

PROBLEM:- Wearing any kind of ornament or jewelry is absolutely haram except the silver ring which is permissible for men folk, but it should be less than four and half Masha in weight. The silver can also be used in the handle and stealth of the sword provided the silver may not in use in any other way.

PROBLEM:- Only the ring of silver is allowed, any other metal for example iron, lead, copper, brass etc is not allowed for making the ring which is prohibited for men and woman alike.

PROBLEM:- Some Ulema permit use of precious stones in the ring while others prohibit it. Precaution demands that things which do not have specific approval/consent of the Holy Prophet (Allah's grace and peace be upon him). But the prohibition is for the ring itself and not for the Nagina or the stone, gem etc of the ring Nagina can be of nay stone, , , etc.

PROBLEM:- Electroplating of silver over iron ring is allowed, it also justifies the electroplating of gold on silver or any other ring.

PROBLEM:- The men wearing the ring should keep the nagina towards the palm and the women at the back of the hand, so that the Nagina as an embellishment should be visible.

PROBLEM:- A man can have his name engraved on the ring, as also the Holy Names of Allah and the Holy Prophet (Allah's grace and peace be upon him). However the inscription should not be engraved/carved on the ring. This inscription was caved on the Holy Ring of the Holy Prophet (Allah's grace and peace be upon him). On His Ring the word was carved in the first line, in the second the word and in the third line the Name were graved. The Holy Prophet (Allah's grace and peace be upon him) has not allowed to carver this inscription or nay one's ring. The engraving of human picture or of nay animal has also been prohibited.

PROBLEM:- The male ring should have only one Nagina on it, two or more stones are not allowed, similarly wearing of more than one ring has also been disallowed for menfolk as also the use of "Challas" metal ringlets. Women can use these Challas as well as more than two rings.

PROBLEM:- Use of silver/gold ring is haram for the boy/adolescents. Similarly the use of hina or ground mertle leaves made into paste and applied to hand/feet of boys is prohibited. The woman may herself use it but she will commit a sin if she applies to a boy.

COVER IN VESSELS AND ETIQUETTES OF GOING TO SLEEP.

The Holy Prophet (Allah's grace and peace be upon him) has said that when evening sets in call your children inside the house and do not let them be out as at that time evil spirits of devils (satans) Jinns and other apparitions descend on earth and roam about hither and thither and pick up unway children or cast evil spells on them. These children may be allowed outside home after an hours or so.

Further commandments by the Holy Prophet (Allah's grace and peace be upon him) in regard to utensils and precautions while going to sleep are.

1. After reciting `Bismillah' tie the mouth of leather water bag (Mash'k or Mash'keeza).
2. Cover the utensils/vessels or put some hard object across the vessels.
3. Put off the (oil) lamps, (at times a rat or any crawling animal drags the lamp, upsets it and the house goes a fire), May Allah prevent such on eventuality.
4. Shut the door, The satan and evil spirits can not open the Mashk, nor the door nor the utensils.
5. It is reported that once every year comes a night in which evil spirits descend on earth carrying with them the cursed diseases and epidemics and enter the room and any other vessel if they open and unprotected and cause damage and destruction to inmates.
6. Neither a burning fire should be left in the house before the inmates to sleep. Hazrat Abu Musa Ashary reports that one night one house got burnt due to the fire kept unextinguished. On hearing the tragic new the Holy Prophet (Allah's grace and peace be upon him) said `Fire is your enemy, put it off while you go to sleep.
7. When during the night you hear the sounds of barking dogs and braying donkeys, recite because at that (inauspicious) moment you do not (and can not) see. When

these sounds come to a stop do not come out of your house, as Allah lets any spirit of His Creation scatter about on the surface of the earth.

ETIQUETTES OF SITTIN, SLEEPIN AND WALKING POSTURES.

It is said in the Holy Quran, LUQMAN said to his son, "O my son! do not twist and twirl your checks while talking to a person and do not walk on the ground in an arrogant manner. Verily, Allah does not like men who walk arrogantly, walk with modest (and moderate) measured steps, lower the pitch of your voice, indeed the most contemptible of all the voices, is the braying of a donkey" (Surah Luqman : Verses.)

Further summerised versions from the Holy Quran and the Ahadees is given below:

The Holy Prophet (Allah's grace and peace be upon him) has said, `One should not be made to vacate his seat in order that the amn (doing so) him self occupies that place, move aside a little and make room for other.

If the man leaves the place temporally and comes back soon, he is entitles to his original place.

While sitting in the Masjid, the Holy Prophet (Allah' grace and peace be upon him) raised both his knees up and held them with both hands, circling round the in(Knees). This is the sign of modesty and humility.

Hazrat Jabir report that after the morning prayers the Holy Prophet (Allah's grace and peace be upon him) used to sit in squatting posture till the sun was clearly one.

When a man is in the Shadow, but when the shadow shrinks and sun rays creep in, he should leave the place.

To sit in a manner when the left hand is at the back and the face reclining on the palm of right hand, is to invite Allah's wrath.

He said who ever after rising from a majlis (people sitting together recites these words, three times, Allah will forgive his sins and one who recites these phrases in the company of virtuous people, Allah will seal goodness for him as indelible or like the command which bears the seal of the supreme authority. These words/phrases are.,

(O Allah! You Are Pure, (I beseech You) With Your Praise. There is no one worthy of worship except You. I seek forgiveness from You and I am laying myself before You (for Mercy and benevolence).

He further said if people sat together for some length of time and dispersed without mentioning the name of Allah and offering salutation to the Holy Prophet (Allah's grace and peace be upon him) then they did great harm to themselves. It is up to Allah to forgive them or do what He likes.

He has forbidden to keep one leg upon the other while lying on the ground on the back. However if there is fear of shame parts of the body being exposed (becomes of lose down clothing) then it is permissible.

To lie in belly side is the custom of those who will suffer punishment in He'll.

He has warned against sleeping in open terrace which has no boundary walls or any obstruction from falling absent mindedly or for any reason. In that he will himself be responsible for the consequences.

while moving on the way, if women come in front, do not pass through them but move aside left or right (without confronting them).

PROBLEM:- A mid-day nap or sleeping at mid-day (Qitula) is permissible. It is Mustahab.

PROBLEM:- Sleeping in early part of the morning or in between Magrib and Isha is also impermissible (makrooh) while lying for sleep it is Mustahab that one should in clean and pure condition (preferably after performing ablution), lie down on right side for some time keeping the right hand under check facing Qible, then on the left side. While lying asleep he should imagine sleeping in being his deeds of the world. He should engage himself in the Remembrance of Allah, reciting Tasbeeh, verse, etc, till he goes in deep slumber.

On rising in the morning he should thank Almighty Allah for giving him new life. The man rises in the same state in which he sleeps and on the Day of Resurrection he will rise in the same state he lay in the grave. The prayer of thanks giving on rising in the morning is this.

(All Praise is due Allah Who gave us (new)life after our death (while sleep) and unto Him is the Rising (from the graves). While praying thus on rising in the morning he should resolve to live the day in virtuous deeds with out harming any one and usurping any one's just right, nor will he harm any one the whole day.

PROBLEM:- After Isha and before going to sleep there should be as little worldly discussion as possible. It is preferable to confine the discourse at this moment on these issues (1) Religious discussion, (2) Avoiding frivolous talks. (3) Friendly talks of mutual interest as between husband and wife etc. Whatever the subject of mutual discourse be chosen, then end should be in the remembrance of Allah, thinking Him for blessings during the day and asking forgiveness for short comings.

PROBLEM:- Sleep undressed is undesirable especially when two men or two woman sleep on their respective bed's, even if there is distance in them on the same cot.

PROBLEM:- When a boy or a girl reaches the age of 10 year they should sleep separately. The boy of this age should not share bed even with grown up men.

PROBLEM:- It is not advisable to pass through the land of others man without his permission. However, if there is no way through, then passing in it is not forbidden. As a principle, walking through a forbidden or restricted tract of land or way is not permissible, especially when the restriction is notified through a sign board or notice of working hung on the gate way or entrance.

LOOKING AND TOUCHING (PRIVATE PARTS).

The Quranic Version of observing and maintaining modesty and morality are as specific as they are binding. Here we are concerned with that aspect of modesty and morality which relate to looking at or touching parts of body which excite passion and lust and which in

their wake lead to greater, more sinister acts of debauchery in human society. The following verses (reproduced in translation) are very specific on the subject noted above and dealt hereunder.

"And Say, (O Prophet!) to the believing women that they should lower their gaze and guard their modesty, that they should not display their beauty and ornaments, except what appear of their own, that they should draw their veils over their bosom and not display their beauty except to their husbands, their fathers, their husband's father, their sons, their husband's sons, their brothers or their brothers son, or their sisters sons, or their women, or the salves whom their right hands possess, or male servants free of physical need, or small children who have no sense of the shame of sex, and that they should not strike their feet on order to draw attention to their widen ornaments, And O You Believers! turn You all towards Allah so that you may attain Bliss." (Surah N'ur(24): verse 31)

The Traditions (Ahadees) of the Holy Prophet (Allah's grace and peace be upon him) are also equally emphatic in regard to the observance of these moral principles, which serve as guidelines and safety valves for guarding and maintaining modesty and chastity of women folk.

A summarized extract of these Ahadees is given below,

A women is a women (aurat) literally meant to be hidden (and safeguarded), whenever she comes out, satan spies and secretly peeps into her movements (It means looking secretly at a woman is a satanic act).

Allah curses the looker and the one looked at (woman) if men do so intentionally and the women do not cover themselves with due preconscious.

When the man is alone with a woman, satan is their third companion.

Avoid going to woman. Asked about husband's brother, he replied husband's brother (devar) is death, (as if facing and being with devar is inviting death, there is greats fear of danger in his company!).

Thigh (of both man and women) is an aurat or a thing to be kept hidden, O Ali! Do not look at thigh, neither of a living person nor of a dead one.

A man should not look at the private part of another man's. Similarly, the woman should avoid doing so with another woman.

A man with another man, and a woman with another woman should not sleep without clothes.

A woman should observe pardah even before a blind man, because if the blind can not see her, she will be tempted to look at him.

It a woman remains with another woman (behaving freely) she should not tell about it to her husband in a manner so as to mentally give him a picture of her behavior.

PROBLEM:- There are four aspects of the subject under discussion

1. Man looking at another man.
2. Woman looking at another woman.

3. Woman looking at man.
4. Man looking at woman.

A man can look at every part of another man except those declared as of shame, name by from below the abdomen to below the knees. Which aught to be covered. If knees are open, the man should be warned. To keep the things open (bare) is to invite wrath of Allah.

PROBLEM:- When a boy becomes and if he is not handsome, he is within the context a man, and if he is handsome and attractive, looking at him is asking to looking at a woman, which is sinful. Temptation of kiss is sign of lust.

PROBLEM:- In regard to a woman looking at another woman, the same principles apply as are applicable to man looking at another man. A part from parts of shame, she can look at other part or another woman if it does incite passion.

PROBLEM:- A pious woman should avoid the gaze of a loose character woman, she should not remove the veil or clothing from her head and bosom, as she is to likely to speak about her before paramours. A muslim woman must not undress herself before a non-believing woman.

PROBLEM:- The job of mid wifery should be entrusted to Muslim woman as far as possible.

PROBLEM:- In regard to a woman looking another man it is like a man looking at another man provided she is sure that this will not arouse lust, and if there be the slight fear of this she should avoid looking at him.

PROBLEM:- A woman must never touch the body of another especially one of them is young, even if it is felt that this will not excite passion.

PROBLEM:- At times some so-called spiritual head ask their] woman devotees to press their hands and feet and bless them for their "services!" This is immoral and a source of likely sinning, with satanic inducements it becomes beyond control to fall into satanic temptation. The practice is manifestly unholy, un islamic and un becoming of a stranger whether or not he is spiritually qualified to be called a peer or mush id.

PROBLEM:- Looking of a man at a woman falls in different categories of situation (1) Man looking at his wife or slave girl (2) His looking at those relations who are Mahrams (haram for marriage according to Holy Quran to him. (3) Mans looking at a free (not slave) woman and a stranger (4) Man looking at the slave girl of some other master.

In regard to first category a man can look at every part of the wife (and slave girl) from top to bottom, within or without lust. In the same these woman (wife and slave girl) can look at every part of their masters person. However modesty demands that deliberate gaze at each other parts of shame should be avoided, it creates forgetfulness and also weaken the eye sight.

PROBLEM:- As for the woman termed as Maharaim to him, he can look at their head, chest, shin, writs, neck and feet provided there is not fear of lust excitement.

PROBLEM:- Among the Maharim, what ever parts he can see, he can also touch them, when there is no fear of passion rousing in any one of them. A man can also press the feet of his mother, he can touch her thighs when it is fully covered.

A man can kiss the feet of his mother. It is reported in the Hadees Sharif that to kiss the feet of his mother is like kissing the threshold of the paradise.

PROBLEM:- Traveling or remaining alone with a Mohramah is permissible when there is no apprehension of luscious inclinations.

PROBLEM:- As for the stranger woman, it is permissible to look at her face and hands, because these are often used in day to day dealings. More face and hands can also serve as means of identification whenever some evidence for against the woman is necessary. But to touch the face and hands is not allowed. This shows that shaking hands with women is permissible. The Holy Prophet (Allah's grace and peace be upon him)look the allegiance (baiyet) from the women from the words of mouth (and not by holding hand as is done with the men baiyet !seekers).

PROBLEM:- Very old man and women can shake hands with each other and with others of the opposite sex, as they are usually past the age of passionate emotions .

PROBLEM:- Very small girls can be looked at and even touched. Looking at hands and face of domestic female worker is permissible but only as a matter of necessity other than lust or passion.

PROBLEM:- The woman with whom a man desires to enter into a wedlock (marriage) it is desirable that he see her as this lead to strengthening of their love after marriage. It is permissible according to Hadees Sharif. Similarly a woman also can see her future husband, but not with a feeling of lust and passion but to avail the permission granted in the Hadees sot that she may from her independent opinion for her future.

PROBLEM:- The part of the body which it is impermissible to see, can not be seen even it removed from the body, for example under navel hair of a woman or her hair.

PROBLEM:- If hairs grow on the lip or chin of a woman, it is permissible that she plucks off or their growth or present may not detract the husband.

PROBLEM:- Relations of hurmat (Mahrams) can live and sleep under the same roof, but separate from one another. But privacy is not permissible with the foster sister and mother is law when they are young. This is also the command in respect the adult daughter of the woman when she is from another husband.

SEEKING PERMISSION TO ENTER IN HOUSE.

PROBLEM:- When a person goes to the house of another man, he must first seek permission to enter the house. After permission when he goes in, he should offer salutation (Salam) to the inmates and then enter into conversation with the person or persons concerned.

PROBLEM:- While seeking permission if some one enquires about the caller, the latter must tell his full name, instead or saying "I", which has no sense.

PROBLEM:- On receiving a negative answer to enter the house, the caller must not feel offended. He should return without any grudge of bickering in the heart. The man (owner) might be busy in some other important and more urgent work.

PROBLEM:- If one goes a house where no one is present to answer the call, then he should a general salutation saying,

Peace unto us and to all the virtuous servants of Allah. The angels will reply the salutation or he should say: Salutation and Peace to You, O the Prophet of All ( ) because the sacred soul of the Holy Prophet (Allah's grace and peace be upon him) remains in the houses of the momins.

PROBLEM:- On leaving the house also salutation, (Salam) should be extended to the people of the house. This salutation is obligatory while entering or leave the house, even if there is any obstacle like a tree or wall etc in between.

WISHING PEACE OF EXTEND IN SALUTATION

The Holy Prophet (Allah's grace and peace be upon him) has said that there are six rights of a muslim against another muslim, namely (1) When he falls sick, the other Muslim should go to him and enquire about his health (and pray for early recovery, (2) To attend and accompany his funeral when he dies, (3) When he calls, the answer should be to visit him (4) To wish him Peace of Allah (salam) when he meets him (5) When he sneezes, he should pray Allah's Mercy for him, (6) Wishing for his welfare and prosperity in his presence and absence. He has also said, `When a Muslim extends and presents salaam first, he gets preference in getting Allah's blessings. Further commandments according to the Ahadees are.

When one meets his Muslim brother, he should offer Peace (salam). If any obstacles comes in between and they meet again, he should again offer peace.

The rider should salute the pedestrian.

The one walking should offer salutation to those sitting.

The fewer in number should salute those larger in number.

The young one should say salaam to his elder.

It is reported that once passing by the children, the Holy Prophet (Allah's grace and peace be upon him) wished the youngsters the Mercy and Peace of Allah (salam).

Those sitting on the way should observe the rights of the way, namely (1) Keeping the gazes low (2) remove the obstacles (3)answer the salam (4) telling the people to do good to others. (5) forbid them going any evil(6) guide the wayfarer (7) listen to the distressed and redress his grievances (8) guide the man who has forgotten his way. He has also said, ` One who imitates others (non-Muslims and aliens) he is not from amongst us (or he does not belong to us), do not copy the jews and the christians. (The satam of the jews is indicated by fingers and that of the christian is through movement of hand).

PROBLEM:- Wishing salam means that the honour, respect, and life of the other Muslim brother is in his protection (He reads these thing as his own and protects then with equal care and caution) To deny them is haram.

PROBLEM:- Wishing good (salaam) should not be restricted to only those who are known.

One should he equally generous to wish will to even those who are strangers. (The companions suet to visit the bazaars and other crowded places again, as they got opportunities to offer salaam to more and more people).

PROBLEM:- The answer to salaam should be prompt and on the spot, delay is which should not be redeemed by saying salaam, but he must forgive from Allah.

PROBLEM:- Answering salaam is Farz-e-Kifayah among the people if even a single person answers the salaam, it shall be as from all those present, otherwise all shall be guilty of neglect and liable to punishment in the Presence of Allah. Better it is that instead of one person, all should repeat the salutation.

PROBLEM:- Answering a beggar's call at the door steps is not essential.

PROBLEM:- When two known man and woman meet the man should take precedence to wish the woman. A when a stranger woman salutes a man, the man should in a tone that she also hears if she an old and aged lay, and if she a young one, his answer should not fall on her ears.

PROBLEM:- When a man enters his own house, he must presence salaam to all the inmates, when passing by children, he should wish them all.

PROBLEM:- Answering salaam of non-believers is not necessary. The word "Alaikum" (to you the same) will be sufficient. However if he passes by the site where Muslims and Non-Muslims are many in numbers, then the salutation in full should be addressed, however keeping in mind that he intends Muslims as the recipient. To crown all this, if he recites the Quranic Verse (Peace unto those who follow the path of guidance) will behest as it includes all listener.

PROBLEM:- To wish salaam to a kafir is permissible only when there is danger of some harm if he does not do so. Other wise as a principle it is haram to wish salaam to a kafir, is not permissible, rather to offer respect and respect to a kafir is itself an act of kufir.

PROBLEM:- Salam is to wish blessing of Allah to the listeners. If therefore in a sitting in masjid or else where are already engaged in recitation of Quran and Durood etc. it is not desirable to divert their attention. It is not therefore that they should reply. However if a man is sitting quiet in the masjid, he can receive and answer the salaam.

PROBLEM:- If some one is engaged in recitations or otherwise engaged in religious or literary engagement or learning his lessons it is nilwise to divert his attention by wishing him a loud with a salaam Similarly, one should not offer salaam when Azan, Iqamat, Khutba of Friday or Eids in progress. Likewise when a scholar is addressing his audience who are all attentively listening to him, then the new comer should quietly sit down among the audience. He need not present the salaam.

PROBLEM:- Keeping are engaged in taking food. If some one comes at that time, it is not necessary that the people taking food should salute him.

PROBLEM:- A man who is known for suiful activities, being a debanchee, transgressor etc. He does not deserve salaam by the people. Similarly if a tyrant becomes nuisance for his neighbours and demands that he should given salaam and other kind of respect which would keep him pacified, then in order to escape harr treatment from people as a safety device may outward by present salaam to him. In such a situation compromising attitude

becomes an unavoidable compulsion which becomes permissible.

PROBLEM:- When a salaam is conveyed through some one, it is essential for him to do so it terms between them are so friendly, and the man has agreed to convey the salaam. It is also obligatory for the pilgrims (Hujjaj) to convey the salaam to the Holy Prophet (Allah's grace and peace be upon him)if people request him so.

PROBLEM:- In domestic friendly letters often salaam is conveyed to the relatives and friends through the addresses. An answer to this kind of salam is also necessary. First of the salaam should be conveyed to the persons concerned who are expected to give a direct spoken reply as also to convey their own salaam to the sender of salaam. A pious virtuous person waste not time in responding to the salaam conveyed to them. They speak out the responded as a moral lesson how important and blissful it is to receive and reply a salaam.

PROBLEM:- The salam should be conveyed in a reasonably loud voice so that he may hear and respond on the spot.

PROBLEM:- Some people bend their back while offering salaam. If bending is to the point of RUKU then it is haram, less then that is makrooh (detestable).

PROBLEM:- To say `Bandagi' or `Adab-e-Arz' or any such customary phrases instead of the clearly spelt salaam is impressible rather haram, because it is a clear violation of Islamic teaching. However the words/phrases like `Tasleemat' or mere salaam. This can be tolerated because the roof or essence of these words is salaam or peace which is the real intention of Islamic teaching.

SHAKE-HAND, EMBRACING, KISSING (HAND) STANDING (IN REVERENCE)

The Holy Prophet (Allah's grace and peace be upon him) has said that when two Muslims shake hands on meeting, there sins are forgiven by Allah even before they part company.

PROBLEM:- Shaking hands is sunnat and it significance has been emphasised in a number of Hadees. In one Hadees it is said when a Muslim shakes hands with another Muslims brother, all his sins fall off. This happens each time two Muslims shake hands with each other. It is Mustahab to shake hands with each other every time two Muslims meet.

PROBLEM:- Shake hands or Musafah means joining the palms with other mans palms, preferable of both hands, Merely touching fingers of one another does not Musafah (shake hand) which is often seen on busy pathways or in crowds. While shaking hands there should be no cloth or any thing in between hands.

PROBLEM:- Embracing (Mu'aa'naqah) is also permissible when the general condition is conducive to meeting without fear and with a feeling of affection between the two, when it is not likely to create a sensation of passion. The man with whom Muaaniqah (embracing) is done should be dressed which means bare chested embarrassing is not desirable. It is confined that the Holy Prophet (Allah's grace and peace be upon him) has done embracing (mu'aa'niqah) with companions.

PROBLEM:- Mu'aa'niqah is common among fellow religionsts on the happy occasions of both the Eids as also on occasions of festive celebrations. Mu'aa'niqah is desirable among people of some age-group or grown up people. Adolescents or boys of raw age need not be embraced as a rule especially when they are not so familiar or known before.

Similarly, kissing of hands is also permissible but with a person of erudition and religious knowledge where the feeling of reverence and honour should be the prime motive kissing the forehead has the same motive behind it. Hazrat Abu Bak'r Siddique (May Allah be pleased with him) had kissed between the eyebrows of the Holy Prophet (Allah's grace and peace be upon him). Kissing among the companions and their follower has also been reported. Which makes eventual kissing as a source of mutual love and respect.

PROBLEM:- Some people kiss their own hands after shaking hands with a religious dignitary. This is makrooh (un desirable).

PROBLEM:- Religious scholars and Just and kind hearted King of Islam can have their hands kissed by their devotees and admirer and this is permissible. It is also permissible that if some obedient follower requests the virtuous scholar to extend his hand or foot so that the devote may kiss them. The scholar is expected to oblige the request maker.

PROBLEM:- Prostration of reverence for any dignified personality is haram, even if it be as a matter of respect. When the prostration is done as a way of worship whatever the stands of the person concerned is an act of Kuf'r (blasphemy).

PROBLEM:- Bending at the time of meeting of some one (as a formality or as a matter of respect) is forbidden. Here bending means to the extent of RUKU in namaz.

PROBLEM:- Standing up by way of respect and honour for a religious dignitary is not only permissible but also appreciable when the person concerned is qualified for such a treatment.

SNEEZING AND YAWNING.

It is said by the Holy Prophet (Allah's grace and peace be upon him) the sneezing is an act which is liked (and approved) by Allah,where as He does not like people Yawning or gaping. When a Musalman sneezes and says `Al'hamdo Lilah' (All Praise is due to Allah) it is necessary for a Musalman to say `Yarhamaka Allah' (May Allah have mercy on you). Yawning is inspired by Devil satan, therefore one should try to recheck the yawning as far as possible. When a man yawns, satan laughs at him and enjoys it, because yawning is a symptom of laziness and negligence.

PROBLEM:- It is necessary that when yawn begins or is about to begin one should put hand over his mouth.

PROBLEM:- In belch and sneeze the sound should be husband (not producing loud noise).

PROBLEM:- The answer of a sneeze is wajib when the man says `Al'hamdo Lillah'. The reply yarhamaka Allah should be prompt and audible. It the sneezer does not say Al Hamdo Lillah, then it no return reply is due.

PROBLEM:- If the man sneezes more than three times, the reply should be restricted to only three times.

PROBLEM:- When a woman sneezes, the reply is to be slightly audible if she is an old woman and which she should hear. If the woman is young, the reply should a subdued one,

provided in both these cases the woman says Al-hamdo Lillah.

PROBLEM:- If during Khutba (sermon) some one sneezes, no reply is due.

PROBLEM:- If on sneezing a kafir says `Al hamdo Lillah' the reply should Yah'deekallah' (May Allah guide you).

PROBLEM:- The sneezer should say `Al'hamdo Lillah' loudly so that all may reply. If however only a single man replies, it will be on behalf of all present.

PROBLEM:- If before the sneezer the listener says "Al hamdo Lillah", then the latter shall remain free from the tooth-ache and ear, pain, in another Hadees it is reported that he shall be free from back-ache.

PROBLEM:- While sneezing one should lower his head, cover his face and subdue the sound. Sneezing loudly is foolishness. (Note: Sneezing while talking is the good omen of the man being a Just Witness (Shahid-de-adil).

PROBLEM:- Some people regard sneezing as a sign of ill omen especially before starting new work or going out on some business. This is all false. How can such a thing become bad or sign of bad-omen when it carries blessings from Allah.

SHAVING AND CIRCUMCISION

The Holy Prophet (Allah's grace and peace be upon him) has said: Five things are among the Traditions of the Apostles of Allah;

1. Have circumcision
2. Remove the hairs below the navel
3. Trim the moustache
4. Clip the nails
5. Remove the hairs from under the arm-pit.

PROBLEM:- Clipping nails on Friday is Mustahab. However if nails have grown, one should not wait for the Friday. large grown nails are the signs of shortening of sustenances (livelihood).

METHOD OF CLIPPING NAILS

The clipping should begin the first finger of the right hand and end on the small finger. Then beginning with the small finger of the left hand, end with the thumb of the same hand. Lastly the nail of the right hand thumb be clipped. This means that the clipping of nails begin with the right hand and ended with the same hand.

While clipping the nails of the toes (finger of feet) it should began with the small toe (finger) of the right foot and end with the big toe of the left foot and with the small toes of the same foot.

PROBLEM:- Nail-biting is prohibited, there is fear of leprosy (as a sign of bad omen).

PROBLEM:- Mujahids (soldiers of Islam) while living in the territory of the enemy, they should grow their beard and moustache so as cause fear and awe in the hearts of the enemy.

PROBLEM:- Nail clipping every Friday is desirable if it may be inconvenient, then once in a fortnight. In any case, nails should not be allowed to grow more than forth days at a stretch.

PROBLEM:- Bathing once a week keeping the body and cloth her clean and removing the under navel hair is Mustahab, for all these Friday is the day of choice. To pluck the under hair is advisable for women (instead of using razor, blades etc) to pluck or remove the hair in the nasal is not welcome it cause disease.

PROBLEM:- Trimming hair (head) and clipping nail while one is sexually unclean (and needs bathing) is makrooh.

PROBLEM:- Eye brows when these outgrow may be trimmed. To shave hairs on chest and back is dot desirable. However hairs can be removed from hands,feet and belly.

BEARD AND MOUSTACHE

PROBLEM:- Growing beard is the tradition of the apostles of Allah. To shave it clean or less than a closed fists length is haram. However if it outgrows a fists measure, the excess can be trimmed.

PROBLEM:- To cut or pluck the arm pits hair of a girl child is a bid'at (a contemptible innovation).

PROBLEM:- To shorten the moustache is sunnat, so much that only a layer appears on the upper lip, According to another `hadees' clean shaving the moustache is recommended.

PROBLEM:- Elongated hairs of the moustache across the edges of the lips on either side is not against the tenets. Rather the elders in the past used to keep the moustache of this fashion.

PROBLEM:- To tie up the beard is not permissible. This is the custom of sikhs, which is un Islamic. Now a days various fashions in the "maintenance" of the moustache are noticeable. This is deplorable and purely against the spirit and teachings of Islam obvious almost all the modern fashions emanate from the immoral and unseruputious west. To irritate of copy then is to underrate and demolish the grandeur of Islamic modes of character propounded and encouraged by Islam. This senseless rather shameless, imitation of the defiled European practices has snapped the glorious principles of Islam and Islamic society. The situation demands serious consideration of all concerned.

PROBLEM:- Things have degenerated to such an extent that even some reckless and unabashed muslim youths even not only criticize the keeping the beards, but even cut jokes and make fun of the simple minded Muslims keeping beard and openly ridicule and denounce this noble practice. Which afford manly look and spirit which is the essence of Islamic life. May Allah guide the misguided and put them on the right path. (Amin)

PROBLEM:- It is open for the man to keep the hair (of the head) in any manner he likes. He

can trim shave and grow them part them or not keep them unparted, but there should be neatness, properly combed in order to give them manly grace and glory. The Holy Prophet (Allah's grace and peace be upon him) has kept his sacred hair, some time duly parted and some time allowed to grow but to a reasonable limit, stretching upto shoulders or reaching the lopes of the ears, and he parted the hair in the middle of the head. However Hazrat Ali (May Allah bright his visage) often shaved his head.

PROBLEM:- Prolonging hair in the style of woman is not permissible often the so called `Pirs' have long hairs hanging down the shoulders is very contemptible.

PROBLEM:- To pluck the grey hair or trim them with scissors is makrooh. Now a days many imitative innovations are in display used by men and woman alike most common of which is the use of bunch of artificials designed to match the common hair style. This bunch of artificial is known as `Wigs'. This is more popular among man who are their totally bald or have scanty number which is considered to be a thing of joke or an object of satire/taunt among the so called enlightened and will to do people, especially and the middle aged persons woman included.

PROBLEM:- It is matter of curse in the view of shariat laws if muslims woman cut their hair to copy the werter christian ladies. This not only spoil the natural beauty of there young women who look more boy like than the girls of their age.

PROBLEM:- Hairs either though shaving or trimming should not thrown to public view or thrown in the bathroom. These should be burred in the earth. Similarly the nail clipping may be placed some where but thrown in the way. "To throw these things in hamam (bath room or lavatory) is to invite ideas.

PROBLEM:- Four things are strictly to be buried and to be kept out of public gaze. These are

1. Hair
2. Nils
3. Dirty cloth piece soiled with menses blood
4. Blood.

Circumcision

Circumcision is sunnat, this is one of the marks of distinction between the Muslims and the Non-Muslim. It is reported that Hazrat Ibrahim (May Allah peace be upon him) had his circumcision at the age of 80 years.

PROBLEM:- Agewise the circumcision should be done between 7 and 12 years. Some scholars are of the view that circumcision may be carried out when the child is 7 days old. (Note: In the modern days of advance medical science, some have their children circumcised in the hospital when they 2 - 3 days old).

PROBLEM:- When circumcising a boy if the earmarked portion is cut more than half, it should be regarded as full operation. No fresh circumcision is necessary. It however, less than is cut their fresh operation is necessary.

PROBLEM:- Converts to Islam need circumcision. If the convert is of advance age and can not hear the pain etc of circumcision he need be compelled to have the same circumcision can be undertaken by any man who is experienced in this job.

PROBLEM:- Circumcision is the responsibility of the father of the son. If father is not alive, the child guardian there the grand father of the child then his nominee in the Will. It is not the responsibility of the maternal or paternal uncles (or their nominee). However if the child is under the guardianship of his uncles, then can be called upon the bear the responsibility.

PROBLEM:- There is no restriction to bore the ears of the women. In the days of the Holy Prophet (Allah's grace and peace be upon him) women were allowed to have their ears bored.

PROBLEM:- Castrating men is haram, so is making them eunuchs. There is difference of opinion if horses should be castrated, however it is permissible other animals may be castrated if this yield meat of quality. He goats is very mischievous in this regard. If he is allowed to behave in his natural moods he becomes source of in convenience, Beside, the meat of an un castrated he goat/sheep or is definitely of a good standard both for eating or commercial purposes.

EMBELISHMEND / DECORATION

Hazrat Ayesha (May Allah bless her) has report that the Holy Prophet (Allah's grace and peace be upon him) liked the fine scented perfumes and she used to apply these scent/perfumes on his clothes which at times shove brightly in his head and his beard. The Holy Prophet (Allah's grace and peace be upon him) applied oil over his head and combed his beard. He has said that the man who has (enough)hairs, he must take care of them, wash them and apply oil and do combing. He has however forbidden combing the hair daily, the idea being that man should not waste time in self make up. He has advised to apply the collyrium of atmad stone as it brightens and enhances the vision and eyesight and cause growth of the eyelashes. The Holy Prophet (Allah's grace and peace be upon him) had his own collyrium container. He used to apply collyrium each night with metal stick, three times in each eye.

PROBLEM:- It is haram a woman uses man's hair as a lock of hair on head. There is curse

reported in the Hadees for doing for both the woman who uses the lock and the woman who helps in this work. However it is permissible the plaif or lock of hair is made from black cloth straps or black thread, Similarly plucking the eye brows with pair of steel prongs for the purpose of beautification is also condemned in the Hadees Sharif.

PROBLEM:- Boring ears of girls is permissible, but doing so for boys is not permissible.

PROBLEM:- Use of Henna (Hina, myrtle leaves) for woman is permissible, it is an embellishment or thing of beauty. Girls can also use the henna, but to apply Henna to small children without any reason is not allowed.

PROBLEM:- Asmad stone collyrium is allowed, but to use black surma or lamp soot (kajal) for beauty or make up is impressible.

PROBLEM:- Hanging picture of man (and woman) and animals is not permissible. However paintings of scenes/scenario of holy places, spots of natural growths such as trees, mountain rivers together with monograms of letter etc all these as decorative pieces are permissible.

PROBLEM:- Use of black hair-dye is not permissible, but colouring the hair with Henna and Katam leaves (made as hair-dye) is permissible.

RIGHTFUL EARNING

There is a Hadees in the Bukhari Sharif, according to which the Holy Prophet (Allah's grace and peace be upon him) has said that a time will come when the people will not bother about an earning/getting money being halal or haram, and no particular effort shall be made so secure the money from rightful and valid sources only, which is source of blessing the reward of which has also been promised in the Hereafter. As against this earning/getting money through haram and unlawful means is a curse, the source of disgrace and perpetual loss not only in this world but also in the Hereafter. May Allah save us from the clutches of this ignominy. Amin.

PROBLEM:- To earn by honest labour is compulsory (Farz) on a Muslim the amount of money as would meet the family expenses as are due upon him. including himself besides fulfilling conditions in the field of religious obligations. To earn more than the essential unavoidable expenses that arise from time to time as also to save something is welcome and appreciable from any points of view. If the parents are poor and unable to maintain themselves, then the responsibility of supporting and sustaining them through thick and thing of life would also become the bounded duty of the earing son(s) so that they may not feel themselves as destitute.

PROBLEM:- Some people sit down in the Mosques and Khanqas, calling themselves as Mutawakkils (Reliants on the Divinity for their sustenance etc) all this is mere self deception and avoiding the responsibility of earning and maintaining there life in a decent and praiseworthy manner. This is the essence of Islamic teachings which aim at guarding and enhancing the human dignity. To sit idle in places of worship (Masjids) and Remembrance of Allah (Khanqahs) in the hope that people would come and after them means of sustenances is the total negation of pristine Islamic teaching, it is below the dignity of persons who thoughtlessly indulge in such practice.

PROBLEM:- The best endeavour and the best earning is the wealth and other material good

that come by as the spoils (mal-e-ghaminat) of Jehad or fighting in the way of Allah, But taking part in the jehad should not be with a view to plunder or get the money and the material of the opponents of Islam. After Jehad come in that as means of earning are business and trade agriculture (cultivation of land), industry and finally, craftsmanship which obviously includes all kinds of manual and intellectual labour, involving skill technical/mechanical know-how, of which there is no limit.

PROBLEM:- Spinning wheels (charkha) is the job of women folk, it is simply unbecoming of men of any grade and standing, not even in the name of any movement, as the movement of spinning wheel was very much in the news and practical demonstration in the sub-continent.

PROBLEM:- If the man who is known to be earning money through haram means ides leaving his legacy for his inheritors, it is the moral and religious obligation of these survivors to return the money which were unlawfully usurped, to the concerned persons, and if they are unknown, to give all the ill-gotten money in charity and sadaqah.

MAR BIL MARUF AND NIHI ANIL MUNKAR
(Commanding Good and Forbidding Evil)

ALMIGHTY ALLAH says in the Holy Quran, "There should be a group among you who should invited and command men to Goodness and pro habit and forbid them from Evil. These are the people who will attain prosperity". (Surah Ale Imran: verse).

In the Holy Prophet (Allah's grace and peace be upon him) has also said, "If any one of you sees any evil, he should check it by hand (force) if he is capable, or forbid it through words of mouth and if he can not do so he should regard it as evil in his heart, and this is the last grade of Eiman". He has also said, "I wear in the Name of One in Whose Hand is my life, either you (momins)shall command Good and forbid Evil or Allah's Wrath will descend upon you, and if you will then pray (for Mercy), your prayer shall not be answered (and accepted)".

He has also said that in a community where evil doing is rampant and the people, in spite of being capable to check it and yet do not do so, it is likely that Allah will soon send upon them the painful punishment. He further said, "Allah Shall not punish the entire community on account of the few evil doers among them, but when evil (and corruption) becomes common and the people, in spite of being capable, fail to check (and suppress) the evil then the entire will suffer punishment from Almighty Allah".

He has also said, "The best Jihad is to tell the Truth (about tyranny and corruption) in the presence (on the mount) of the tyrant suttam (kind, head of the government)".

PROBLEM:- If a man intends doing an evil but checks himself and refrains form committing it, there is no sin against him, on the contrary, he shall be rewarded for his having shunned the evil.

And if the man is determined to commit a sin and some how does do it, then for his determination he will have to suffer.

PROBLEM:- When some one seen doing single act, he should be persuaded politely to refrain form it, if this is not enough, he should rebuked and reprimanded with out resorting to abusing and filthy language. Finally mild preventive force without causing physical hurt

may be used and his object of evil should be snatched from him.

PROBLEM:- There are possibilities in the way of "Amr bil Maruf" (commanding Good and "Nihi anil Munkar" (Forbidding Evil) and these should be care fully sorted before taking any action in this behalf.

(1) When it is definite that the people concerned will listen to persuasion and regain from continuing the evil then `Arm bil Maruf' is obligatory and there should be no negligence in this regard.

(2) If it is feared that evil doers will not listen to the advice and instead, will react by offensive criticism an devon abusing then it is blissful not to proceed further

(3) If there is danger of counter reaction namely abuse fro abuse, physical attack leading to general disorder, then it is preferable not to invite trouble.

(4) If it is known that in case they resort to physical violence but this man will hold patience and tolerance in reply to their aggressive behaviour and continue his mission till they relent and repent and finally give up the evil. Then this man of strong faith and conviction shall be regarded and rewarded as a MUJAHID.

(5) When it felt that even/though they will not accept the invitation to shun the evil, but they will also not resort to physical violence nor even abuse, then it is open to the man to do what he deems fit. But preferable it is to tell the people again and again to refrain from the evil and concentrate on doing good.

PROBLEM:- If it is apprehended that the evil doers will ultimately kill the caller to the Goodness who sticks to his Mission in face of grave dangers which unfortunately proved to be true, then the man will not be blamed, because what he did was in the way of Allah and not for his personal interest. He will be acclaimed as `Shaheed' and rewarded as such in this world as well as in the Hereafter.

KNOWLEDGE - LEARNING AND TEACHING

By the word knowledge or "Ilm" is not the sort of education which man has introduced in fields of his experience and intellectual pursuit. The word knowledge in this context is equated with the most common terminology "science" or sciences under various exclusive and specialised branches. There too are the brain work of human knowledge and experience though these sciences are also based on natural phenomenal working in the scheme of the Universe. But since the depth and insight of human Vision and Experience are limited and confined with the working or behaviour of human intellect they are, by and large, purely mundane or transient subject to development and decay, they can not be relied upon for the "Eternal" Benefit of mankind which may endure in the pursuit of Eternal Peace and tranquility both in this world and the "One To Follow" the Hereafter.

In the latter group of knowledge with which we are concerned is the exposition of Divine secrets which we can not achieve otherwise than the Holy Quran and the sunnah or the Ahadees of the Holy Prophet (Allah's grace and peace be upon him). On these Divine ordained knowledge depends the success and Prosperity in the world as the Deliverance in the Hereafter. The Holy Quran has divided the human species into two branches, namely (1) those who know and (2) those who do not know. It is said,

(O Prophet! are those who have knowledge and those who ahve no knowledge equal? Surely those learn and remember who are men of wisdom. Many qualities and attributes of Ilm and knowledge have also been mentioned in may Ahadees of the Holy Prophet (Allah's grace and peace be upon him). Some of these Ahadees are presented below,

Whom so ever Almighty Allah wishes prosperity and success, He bestows Understanding (and comprehension) of Deen on him, I distribute (and award) what Allah grants (among the chosen member of mankind).

He said, "The superior of a man with knowledge over a devotee in worship is like the superiority which I possess over you (people)."

He said, "Allah and His Angels and all creatures inhabiting the heavens and the earth (The Universe), even an ant in her clay hole and the fish (in the expose of sea water) pray for the prosperity (in all respects) of those who impart useful knowledge to people."

He said, "A learned scholars of Deen possesses grater power than what one thousand (formal) worshipers exert on the devil (satan)."

He said, "A acquisition of knowledge is binding upon every muslim man and woman."

He said, "One who keeps (impart) knowledge to a worthless fellow is like the man who adorn a swine with a garland knitted jewels and pearls".

He said, "One who leaves home and goes in search of knowledge is in the Path of Allah till he returns home."

Hazrat Ibn Abbas (may Allah be please with him) has said, "To receive or impart knowledge (even) for an hour at night is far more blissful that doing so for the whole night."

The Holy Prophet (Allah's grace and peace be upon him) has said, "The Ins (used by) of a learned scholar shall be weighed with the blood of a martyrs and will have dominance over it."

The similitude of the learned scholars (of Deen) is that of the stars in the sky which guided the wayfarers in the land (dark forests etc) and in the vast expanse of the oceans (where the direction are very difficult to determine without the aid of scientific appliances).

He said, " One who seeks knowledge and gets it he is twice blessed compared to the man who does not succeed in acquiring the desire knowledge and even then he is rewarded with one onward for his endeavours.

PROBLEM:- A young man with knowledge has preponderance over an aged but illiterate man and as such he should not be given less respect and recognition than that given to illiterate old man, "The right of a learned man over his un educated compatriot is the same as a teacher over his student(s). If the learned man leaves his seat temporarily the uneducated man has no right to occupy his seat (whatever his position other wise in the society).

PROBLEM:- The search and acquisition of knowledge with sincere and honest intentions is better than every kind of good deed, because the blessings of the knowledge benefit all and sundry, where as the benefits of good deed are restricted the man concerned only.

PROBLEM:- The teacher and the taught (student) should pay due regard to things used on acquiring knowledge, specially books manuscripts, monogram etc. Books should not be kept on the ground (earth) nor should the carried to places of answering calls of nature (lavatory, w.e. etc). Books should be handled with cleaned washed hands, preferably after coming out from private places.

PROBLEM:- Due respects should be paid to the teacher. If any thing wrongs to notice it should not be broadcast, that would lower the value of the teaches. To err is human and every one is liable to commit mistake some time or the other. This should be kept fresh in mind.

HALAL AND HARAM ANIMALS

It is difficult to describe the name and qualities of the animals which are halal or haram as a class or category or in terms of their habitat and habits. However some specific qualitier or nature can be stated here on account of which the defaults can be determined.

PROBLEM:- Animals with sharp nail like teeth with which they catch or kill their prey are as rule haram, for example, tiger, lion, jackal, fox, dog, , etc. However camel who has also teeth of this type is not haram because it does not hunt any animal (strangely camel can be described as a grazing animal!).

PROBLEM:- Birds which hunt their prey with sharp laws are also haram, for example hawk, eagle, nultures kite, etc. Animals living underneath clay/earth or in crevices are also haram, eg. rat, lizard, chameleon, snake, scorpion, crocodile, etc. Insect like lice, bug, fly, frog.

PROBLEM:- Domestic donkey and mule are haram wild donkey, is halal. About horse opinions differ. Some regard horse as an appliance of war/fight in jehad and opine that it race should not be subject to extinction. However, we read in Islamic history that Arabs often kill and roast their pet horse to feed emergency guests of caulk in their society.

PROBLEM:- Cow, buffalo sheep, goat, deer, antelope, stag, and rabbit are halal.

PROBLEM:- Partridge, quail, hen, pigeon, magpie, dove, ducks of all varieties, crane, etc are halal.

PROBLEM:- Tortoise (land or water) crow are haram which resembles crow is halal.

PROBLEM:- Among the sea creatures only fish is halal, but the fish which dies in the water and turns the other way is haram. Locust is also halal. Fish and locust without slaughtering are halal. There is a Hadees saying two dead corpse are halal namely fish and locust.

PROBLEM:- Fish dying on account of hot or cold water, in the net, contaminated water, kept in the ditch or narrow earthen pot (suffocation), in all these conditions which cause death, the fishes are halal.

PROBLEM:- About shrimp or prawn it is not clear whether it is halal or haram, some do not regard it is a variety of fish. There fore they prefer to avoid it.

PROBLEM:- Small fishes when fried or roasted without slitting the stomach are halal.

PROBLEM:- Cow, hen if it starts eating rotten bad smell in stuff which get into their stomach

with the result that they emit bad smell should be tied down and kept away from eating rotten stinking stuff for some days and when they become free from bad smell, they can be eaten.

PROBLEM:- An uncastrated goat also smell stink because it drink urine. It flesh also stinks and should therefore be not eaten. usually these stinking goats are employed to copulate with she goat and produce your ones.

PROBLEM:- While being slaughtered if the animal runs away gets drowned and dies or dies in that condition for some other reason, it is halal as the cause of death is slaughtering and not drowning on falling.

PROBLEM:- A piece of flesh cut off from the body of the animal for example the fat from the chakki of lamp or lump of a camel is haram by itself. However if the animal is slaughtered then the animal as well as it piece of flesh both are halal.

PROBLEM:- When an arrow is host at an naimal and a piece of flesh flies off its, then if the animal survives in spite of piece of flesh torn of its body, then it is haram. If the head falls off and the naimal is slaughtered, then the animal as also its head can be eaten as halal.

PROBLEM:- IF a piece of cut off from the fish, this piece is halal and if the fish dies in the water on account of this slicing off its body, the fish is also halal.

PROBLEM:- The animal of which the flesh is not eaten, if it be slaughtered according to shariat rites, then its flesh fat and skin get purified except the swine whose every part un unclean (najis). If the fat etc of such animal is intended to be used externally, then it is better to slaughter the animal because in that condition its use will not render the clothes etc as dirty or impure.

RACING AND OTHER FESTIVAL ACTIVITIES

PROBLEM:- On the occasions of Eids, wedding ceremonies and other festivals, playing on (duffs) tambourines is permissible, provided the instrument is off simple make, without any additional ornaments which produce additional musical sounds of lyrical notes.

PROBLEM:- Blowing bytes to awaken the people during Ramzan nights or as an alarm to warn and inform general public on the arrival of any dignitary or occasions is also permissible, on this analogy the sounding of sirens (by the government) and trumpets on such like moments is also valid because this is not associated with any extravaganza display of riches or uncontrolled loud tonal music etc. The sounding of buzzers in big workshops and factories to inform the people of the beginning lunch interval or closure of working hours is also permissible, as it meant for the convenience of the worker and people at large.

PROBLEM:- Playing dice games such as chess, chaser and gajicah (local names of games) played by men in paris on the boards / thick painted clothes with dice or dots and other games are included in mirthful preoccupation and as such are forbidden. According to Hadees Sharif only three kinds of playful activities. (1) with one's wife (2) Horse-riding and (3) Orchery.

PROBLEM:- Dancing, clapping, guitar (also sitar) harmonium, drum and musical instrument are forbidden to be played.

PROBLEM:- Now a day mehfils of Qawwali are held in which modern musical instruments are played along with the singing of songs, solo or in chorus. If these sitting are kept within reasonable limits without undue liberty of playing music with instrument, then there can be no objection to it. But when the audience willfully and with intentions of pure sentimental enjoyment indulge in clapping, singing and dancing in chorus and in company, then the very purpose and sanctity of these soul purifying and emotion, inspiring function/mehfils are killed and the occasions become sources of Displeasure of Allah and defiance of the commandment enunciated in the Ahadees of the Holy Prophet (Allah's grace and peace be upon him). These to unbridled activities by unscrupulous people are what they call as HAAL (Ecstasy). This is a pure misnomer, as such a thins is never permitted in the commands of Shariat. No doubt in spiritual mehfils at times genuine ecstatic turned over bearing spiritual demonstration do take place in which high grade spiritual- leaders to driven to a state of self unconsciousness and in those entranced moment they stand up and engage themselves in slow rhythmic movements of their footsteps accompanied by swaying of their body or circling round endlessly, unless they themselves stop it too lie in a state of semi-consciousness. This happens when some poetic lines sung the Qawwali touch their subline spiritual chords and they are spiritually inspired and uplifted resulting in their afore said ecstatic semi-conscious behaviour which throws it own spiritual charms on the spell hound listener and spectators. Obviously there is a world of different between the two sets of demonstration by genuinely inspired spiritual leaders and those pseudo "Hall" ( ) players whose simple aim is to defame and discredit these spiritual gatherings and denounce the spiritual leaders.

PROBLEM:- To rear and trained pigeons is also becoming wide spread among the group of idlers and wasters of money in this gainless practice. It does no good to the pigeons either, on the contrary it is binding the free fliers in the serve atmospheres of he sky. More over the trainer and his accomplices climb the roofs or the house tops to train and supervise the movement of these bonded labouring pigeons ! This causes resentment among the veil observing families living around. Their privacy is disturbed as the roof climbers do not restrict themselves in pigeon fly, but among them so unscrupulous even do not feel ashamed in peeping a and prying in to house inmates who are disturbed in their movement even with in the four walls of their own hours and tenements!

PROBLEM:- Similarly staging cock fights, bull fights, buffalo fights are also forbidden. To witness and to participate in these animal fights which result invariably in bleedings and at time deaths of the poors, all are haram. Gambling and waging bets on these fights are among the major sins which the people concerned must give up forth with and seek forgiveness from Almighty Allah.

PROBLEM:- Wrestling bouts if one participates in them with the healthy inventive of developing muscular and physical vitality are not forbidden. If the intentions of taking part in wrestling are widened to serve the cause of Islam and to take part in Islamic Crusades (Jihad) against the enemies of Islam and Musalman, the these wrestlings shall become the source of Divine blessing which will bring fortunes in the mundane as well as in the spiritual world. The Holy Prophet (Allah's grace and peace be upon him) also took part in wrestling. Once a non believer wrestler `RUKANA' by name challenged him that if the Holy Prophet (Allah's grace and peace be upon him) defeated him, he will embrace Islam where upon the Holy Prophet (Allah's grace and peace be upon him) threw him three times on the floor and Rukana accepted Islam.

PROBLEM:- Doll making and doll playing among the girls are permissible. Ummul Mumineen Hazrat Ayesha (May Allah be pleased with her) often took part in playing will dolls with the girls though not in the presence of but within the knowledge the Holy Prophet (Allah's grace

and peace be upon him) and he never objected to it.

PROBLEM:- Competition or match (MUSABAQAT) to prove one's excellence and efficiency in any healthy pursuit is permissible. The competitions which are approved from the Shariat point of view should be such as will intimately encourage participations in the crusades or Jihad against the enemies of Islam. The most popular and useful in this respect are the competitions in horse and camel racing, archery, aiming at the target with bullets in any weapon swords manship running in specified distances as a competition. Prizes in cash or kind (such as in the modern age awarding cups, shields, trophies etc by way of encouragement.

The idea behind all these competitions should be in addition to building one's own standard it physical fitness and winning awards, the promotion of the cause of Islam and the betterment of humanity at large, luxuries and indulgence in immoral activities which we witness in almost all the social and cultural activities of the modern world are never approved and admired in Islam.

PROBLEM:- The prize or whatever is announced as a reward for the winner in any competition (or match) is his halal and pure due and must be given to him, but there is no legal right over it and the winner can not claim it in any court of law. Now a days the fields and number of competitions have increased beyond count. But the fundamental principle under each and every competition should be healthy endeavour to secure excellence and superiority of one competitor over the over or of one team against the other team in a collective manner. Whatever is held good and admirable for an individual is also good and admirable for the team or the combined group of competitors. The aim and object in every competition should be healthy and moral rivalry between the participants in the game or sport . open brazen display of immorality and ethical in decency should be avoided and kept at bay in any competition whatever it s nature, physical, cultural, intellectual, educational and social reform etc.

CURE AND OMEN INCLUDING SPELL, ENCHANTMENT

The Holy Prophet (Allah's grace and peace be upon him) has said that disease and cure both are from Allah. He has provided medicine for every disease, but haram means of treatment or cure must be avoided. The Holy Prophet (Allah's grace and peace by upon him) has also advised not to force or compel the patient to take the medicine as Allah feeds (provides cure for) the patient. He has also said that when the patient expresses desires for something (to eat) it should be given to him, however, the nature of the desire should be kept in view. If the desire is genuine then only it should be fulfilled. The patient should refrain from demanding and eating anything which under medical opinion are not useful during sickness. This point been illustrated by the following Hadees. Hazrat Umme Munzir has said that one day the Holy Prophet (Allah's grace and peace be upon him) came to my home alongwith Hazrat Ali (May Allah brighten his visage) who was feeling weakness on account of his recent illness. In the courtyard of the house, bunches of dates were hanging. The Holy Prophet (Allah's grace and peace be upon him) took and ate few dates from the bunch. Hazrat Ali also desired to eat them , but the Holy Prophet (Allah's grace and peace upon him) checked him and said You are (suffering from) weak (ness). Later Umme Munzir brought the food cooked with barley and sugar beat. The Holy Prophet (Allah's grace and peace be upon him) said to Hazrat Ali to eat of it, it is useful for you.

From this Hadees it is clear that a patient should be given the food which is good for him and not all that be desires.Some Ahadees of the Holy Prophet (Allah's grace and peace be

upon him),

"Incantation (jhar phoonk) is nothing but it is better than evil eye (nazar-e-bad) and stinging of poisonous insect.

The evil eye should be cured through incantation. The Holy Prophet (Allah's grace and peace be upon him) has said jhar phoonk (incantation) can be used (as or cure) if it is free from shirk (associating any diety or power with Allah).

He has said contagion is nothing nor is there any disease contagious by itself. Similarly bed-omen and tamah are also nothing nor the month of safar contains ill effects. Run (keep off) from the leper as you run from the lion (out of fear).

It is reported that once a behaviour came to the Holy Prophet (Allah's grace and peace be upon him) and asked, How is it O Prophet Allah! that or camel in the desert remains as clear and tidy as a dear, but a camel suffering from seabies (itch) it make the neat camel also seabies (or taken by itching). The Holy Prophet (Allah's grace and peace be upon him) asked the bedouin as to who struck the diseased camel as such. The idea is that as the first camel was overtaken by the disease, was the other camel offer (due to contamination. The disease in itself is not contagious but the affected person (patient) is. Similarly the advice for keeping off the leper is to remove the cause of contagion. IF some others gets the disease he will blame other disease person, where as the fact that it is the disease that strikes the person He has said there is nothing like bad omen, where as Omen is a good thing. On being asked what is omen, he said, (By omen is meant) the auspicious (blissful) words which a person hears while going any where or beginning a new work. This is known as Ful-eHasan (good Omen).

He has said, To take omen from bird is shirk. (He repeated these words thrice) whosoever is from amongst us, he must reply upon Allah and on to his job (errand mission).

He said, Omen is a good thing and he should discard any (and every) thing of and omen. he must continue going on his mission even if a bad omen comes in his way. whenever he comes across a thing which undesirable, he should come back but proceed on his mission. On confronting an evil omen, he should recite,

(O Allah! none brings good things but You i.e. with Your (permission-power) and none removes evil but You i.e. with Your permission. There is nothing to encompass and there is no Power except Almighty Allah.)

The Holy Prophet (Allah's grace and peace be upon him) has said, Plague is a sign of Allah punishment, with which Allah inflicts some of His servants. When you hear about plague at any place and when you go there where is the plague is do not run away from there.

He also said, Plague is a calamity, ALLAH descends it on whosoever desires ALLAH has made plague a source of Blessing for the Believers. The place where plague has broken out, if a person (believer!) stay there with patience and forbearance and fortitudes with the hope of Mercy from Allah believing and having full Faith that whatever Allah has written will happen for him is the reward of a Martyr (Shaheed).

PROBLEM:- Taking medicine for cure of the disease is necessary and permissible, with a belief that ALLAH will grant him recovery (and not the medicine) But if he thinks that the medicine will cure him, then this unjust (and sign of weakness of Faith).

PROBLEM:- To use any part (organ) of human body by way of medicine is haram. Dry bones without any tinge of dampness of slaughtered animals can be sued as medicine, but every part of the swine including its bones and hair is absolutely haram even for medicine. If the bones of any animal are to be sued as unedible medicine, then the animal should be a halal one. The bones of a dead animal can not be used as medicine.

PROBLEM:- The use of haram things or medicines is haram. According to Hadees there is no cure which endowed by Allah in things which are haram. Some books on medicine contain statements regarding the qualities of things of cure for certain diseases. If it is confirmed form such books that if some things which are known as medicine. However even in these things it is to be kept in mind that the cure (shifa) is not in that thing itself but is in the use in certain given circumstances, which may or may not prove effective. This bears analogy with haram things which are permitted to be used to save the life of a dying man. Foreign medicines which contain alcohol (liquour) should never be use.

PROBLEM:- If a man dies for not using any medicine can not be regarded a sinner. This means that seeking treatment through medicine is not obligatory. However is case o extreme hunger and thirst when food and drink is available, if amn dies without using them he will be considered sinner.

PROBLEM:- Use of liquor (alcohol) even for external or oral treatment is forbidden eg. for treating a wound on which liquor applied, or use of wine (brandy etc) for providing relief to infect and small children is also forbidden and the person using liquor in this way will be taken as sinner.

PROBLEM:- Enema can be given as a medicine provided the compound of medicines or the medicine itself does not contain anything haram, such as liquor (wine, alcohol).

PROBLEM:- Forced abortion is absolutely forbidden except in extreme circumstances in which the life of the expectant mother or its child or both are in grave danger. Even other wise abortion of a child with less than one hundreds and twenty day's pregnancy is not permissible.

GOOD MORAL CONDUCT

The Holy Prophet (Allah's grace and peace be upon him) has said, "Nothing better has been endowed to mankind them good moral character, and the man most perfect in Eimaan is one who bear excellent moral character, and good among you are those whose conduct is good". He has also said, " I have been sent (as a Prophet) to raise moral conduct to perfection (which means achieving accomplishment in moral conduct is the Mission of the Apostle of Allah).

PROBLEM:- It is reported in the Hadees suppresses one who anger despite having power to express it on his opponent, on the Day of Judgement will call him in form of all the people and tell him to go in any group of Paradise Hoors (and select the Paradise Virgin as a reward for suppressing his anger). In another Hadees it is said, " Allah is Merciful and kind and loves kindness and affection. He lay stress on kindness and not on severity and harshness.

The Holy Prophet (Allah's grace and peace be upon him) has said any one who is denied the traits of leniency and tolerance is denied of the virtue of Goodness.

He has also said, Shyness or (as a virtue) consists in Eiman and Eiman is in the Paradise and talking absurd is oppression (and injustice) the abode of this is in he'll.

He also said, Eimaan and shyness are twins, when one is removed the other too disappears. It is reported one man telling about shyness (haya) and reprimanding him why he was so much observing Haya. One hearing this the Holy Prophet (Allah's grace and peace be upon him) commanded to leave him alone (and not give him any advice), Haya (shyness as virtue) is in Paradise.

ADOPTING COMPANY OF THE GOOD PEOPLE AND AVOIDING EVIL DOERS

The Holy Prophet (Allah's grace and peace be upon him) has said `Adopt company of none but of men of Eiman'. He also said, `Sit among the elders and learn things from the religious scholars (Ulema). The good friend is one who reminds remembrance of Allah when you forget and helps you when remember Him. The good companion in one whose visage revives you remembrance of Allah and his talks encourage you for doing goods and his activities remind you of the Day of Judgement. He said, `The example of a good and bad companion is a kin to a musk seller and the furnace bellower respectively. The former either will you something or the good smell will reach you (in his present), while the latter will either burn your clothes or the bad smell of the smoke will cause you extreme trouble.'

He also said, `Have no company with the person who does not recognize your worth, at least as much as you have regard for him, who expects fulfillment of his rights from you while he ignores his duty towards you.

Hazrat Umar (May Allah be pleased with him) has said, `do not indulge in things which are of no benefit to you, Keep off from your enemy and keep a distance from the friend who is also an ameen (trustee, keeper of things as a trust, amanat) no one can equal an ameen, who fears Allah most. Do not keep company with an unchaste and evil does having no regard for moral virtues, he will teach you his own evil doing and moral laxity, do not open your secrets before him, and consult your affairs only with those (trust worthy people) who fear Allah.

Hazrat Ali (May Allah brighten hi visage) has said, `do not keep company with an evil charactered man (Fajir), he will try to induce you (as something bright) with his behaviour and would very much like to soil You with his doings and present his worst deeds as best ones. His visits to you and to your kins is a matter of shame and grave fault. Also do no friendship with fools and crazy, he will cause you trouble and will not bring any benefit to you even if he tries to do so, his silence is better that speech, and distance better than nearness, death better than life, also do not keep company with liars, it will benefit you, he will carry your secrets to others and bring those of others to you. If you tell the truth he will stick to falsehood.

FRIENDSHIP AND ENMITY FOR THE SAKE OF ALLAH

The Holy Prophet (Allah's grace and peace be upon him) has said that in respect of Eiman the strongest Bond with Allah is Friendship with Him, and the emotional links of love and Enmity should be with Allah. One day the Holy Prophet (Allah's grace and peace be upon him) asked his companion if they knew what deed is most appreciated by Allah. Some one said, Namaz (prayers) Fasting and Zakat and some others companion said, `JIhad' (cursade in the way of Allah). The Holy Prophet (Allah's grace and peace upon him) replied the best deed for the Pleasure of Allah is to entertain Friendship and Enmity of the sake of Allah. He

said that when some one loved some one else for the sake of Allah, he upheld and elevated the Honour and dignity of Allah. He also said "Persons who expresses love for Allah shall be honoured by having been seated in the Chairs of Ruby round about the Arsh."

He also said, Allah says Those who love one another fro My sake and Sit together, meet one another and spend money (for My sake) On Me their Love has become due." One man siad, O Prophet of Allah! what about the person who loves certain community but has not met them, nor rendered deeds as noble as their? The Holy Prophet (Allah grace and peace be upon him) replied, "Man's destiny is linked with those whom he loves."

For this Hadees it is evident that the company of noble makes a man noble and his destiny shall be like and with them. Likewise the company of evil doers will in still evil in his thoughts and behaviour and his destiny will be like theirs.

One day a companion enquired from the Holy Prophet (Allah's grace and peace be upon him) as to when the Day of Judgment will occur. He asked the companion, "What preparations have you made for that Day?" The companion meekly and respectfully replied, "None! O Prophet of Allah! I only know that I Love Allah and His Prophet. Thereupon the Holy Prophet (Allah's grace and peace be upon him) affectionately reassured him that the ultimate destiny of his will be with those whom he loved. Hazrat who narrated the episode said that the happiness and glad things brought to him (and the Musalman) was the greatest after the acceptance of Islam.

The Holy Prophet (Allah's grace and peace be upon him) also said, `Man remains in the Deen of the person with who he has befriended. It must therefore he observed what kind of man is whom he makes his friend."

He further said, ` Once Allah sent a revelation (Wahi) to an Apostle asking him to tell the Devotee of his community that his real comfort and solace o of person lay in the piety and the uninvolvement in the mundane (worldly) affairs, and his honour is through the constancy of his regard towards Allah the Lord Creator. He was asked if he had fulfilled his obligation "by his deeds," the man would ask, " What deed, my Lord?" The Divine reply will be " was your friendship and Enmity with any one for My sake in the world?"

He also said that when a man desires to make friendship with any one, he should first ask his and his father's name and the tribe (community or fraternity) he belongs. This will make the friendship stronger and more enduring. He has also said that, If a person Loves some one the latter should be informed of this. He further to keep the friendship up to a reasonable limit, because it is not improbable that some day he might turn into an enemy. Similarly the enmity should also limited, it is quite possible that some day he may become his friend.

TELLING LID

Telling Lie is such a despicable habit that it is universally cursed and there is not a single religion in the world, past and present which has not condemned lie or falsehood. Islam has warned severally against telling lie and many verses of the Holy Quran have also denounce and cursed this evil of human character. There is clear condemnation, "Curse of Allah on the falsehood mongers and liars. Many Hadees also contain strictures and condemnation upon the liars, besides denouncing falsehood as a human trait. The Holy Prophet (Allah's grace and peace be upon him) has said, "When a person tells lie, the angels goes a mile away on account of its bad smell." He has also said, "A momin is not completer in Eimaan unless he

gives up telling lie even in frivolous joke and gossips, and gives quarreling even thought he may be right (and might win in the end).

He also said, "A man speaks in a light hearted manner merely to please the people and make them laugh and he does not realize that by doing that he is falling so deep in the hell that the measure of depth is more than the distance between the earth and the sky. And the faltering that occurs through he slip of the tongue is far more greater than that occurs through false steps. Hazrat Abdullah bin Aamir narrated that one day the Holy Prophet (Allah's grace and peace be upon him) had come to visit our family. My mother called me indicating that she would give me something. The Holy Prophet (Allah's grace and peace be upon him) asked what she wanted to give. She replied I will give him dates. The Holy Prophet (Allah's grace and peace be upon him) said if you did not give him anything a lie would have been recorded against your name.

He has also said, Falsehood blackens the face of the lier and back biting is the punishment of the grave.

PROBLEM:- On three occasions telling a lie is permitted and there is no punishment for this, (1) in the midst of fight because to deceive the enemy in the war is permissible. Similarly when fearing oppression at the hands of a tyrant a lie may be told to word off the cruelty. (2) To effect peace between two fighting Muslims if a lie can patch up the difference it can be used.(3) To please the wife a lie may be used as a measure of appeasement.

PROBLEM:- Tauria ( ), we describe it as a conversational device whereby we use a word or phrase not exactly in the literal sense or dictionary meaning but some thing opposite or implied. This is with view to avoid any untoward or unwanted situation which the ordinary meaning of to spoken word would have created. This is permissible but only in rare occasions, because unless the real intentions are made clear, the wrong and offended sense would have continued to embarrass the situation. Tauria is very near to telling a lie unless it is intended to avert a difficult situation.

PROBLEM:- IF the desired aim can be secured by telling the truth as well as a lie, it is better to tell the truth and avoid the lie, which (lie)in itself is haram. however in certain cases telling lie is permissible rather morally necessary. For example if a tyrant is determined to kill an innocent person purely for personal unjustifiable reason. If he takes refuge in some body's house which no one except the house owner knows. IF the tyrant or any one on his behalf wants to know the whereabouts of the wanted amn. The house owner can safely plead ignorance and thus save the life of the innocent man. The example can be multiple, but the intentions behind each "false he" should be of some benefit (lawful and valid).

PROBLEM:- Some one commits an indecent and immoral deed which none but he knows. Now if some one asks about it, he can deny because if he discloses the fact this will be another guilt, especially the inquirer has no authority to do anything with the moral guide in question. Similarly, the secret of one muslim brother must not be told to unconcerned persons.

PROBLEM:- If telling the truth leads to disturbance or violence, then it is permissible to tell the lie because peace and tranquility is more precious than to disturb it merely for the sake of an ordinary truth. If by telling the lie disturbance or violence is likely to erupt then the lie is absolutely haram. In case of doubt between truth and falsehood, the truth may be told if it will bring good, otherwise silence is preferable.

PROBLEM:- Usual exaggeration is friendly conversation can not be taken as lie. For example

to say "I have thousand or hundreds of time not to do such and such a thing but you did not listen." Here the number simply signifies plurality of time, but not actual counting thereof.

PROBLEM:- Telling the implied truth for the sake of pun or fun in a manner which is opposite the truth is also permissible. For example No old woman shall go in the Paradise (because there is no sense of old age in the Paradise where every one shall eternally young)."

CHECKING THE TONGUE FROM AND DESISTING FROM ABUSING AND BACK BITING ETC.

The Holy Prophet (Allah's grace and peace be upon him) has said that the best thing which will enable Men to enter the paradise if TAQWA (fear of Allah and excellence of moral character), and the worst thing which plunge men in the hell are two things having cavity namely the mount and the shame of the woman.

Some more sacred saying of the Holy Prophet (Allah's grace and peace be upon him) are summarized below,

He said, "One who keep silence (as moral behaviour) attains deliverance."

The good of man lies in discarding thing which are of no use, restraining tongue, heart and other organs from ungainly activities.

Hazrat Abu Zar Ghafari says, I begged the Holy Prophet (Allah's grace and peace be upon him) to advise me of something useful. He said, I advise you to adopt TAQWA, It will set right affair of yours. (Note: Here follows a series of Questions and answers that took place between the Companion Hazrat Abu Zar Ghafari and the Holy Prophet (Allah's grace and peace be upon him). After every answer given to him a Hazrat Ghafari begged one more advice. The answer given by the Holy Prophet (Allah's grace and peace be upon him) contain the following points of advice in that order.

"Make binding upon yourself the Recitation of the Holy Quran and the Remembrance of Allah. This will cause you remembrance in the heavens and there shall be Nur (Divine light) for you on the earth."

"Keeping quiet most of the time should be made binding on yourself, this will word off satan and you will get support / assistance in your religious activities."

"Avoid laughing too much this causes death of the heart and removes the nur of the visage."

"Speak the Truth even though it may be better."

"Do not fear the amn who talks ills of Allah."

"The thing which should keep you away from people should be in you own knowledge. In other word your weaknesses and defects should be clear to you so that you may word them off and then you shall not spy into other men's weaknesses."

"Do not call bad names and abuse the air (wind). When you find it unpleasant, seek Good form Allah as He has endowed it with and seek refuge of Allah from the Evil it carries by the

command of Allah."

It is reported that once a rider cursed the animal of his riding. The Prophet of Allah, on hearing this, rebuked the man and ordered him to alight, from the man as he will non like the accursed animal accompany the travelers. He also forbade cursing one's children and upon once your own self, lest it be the hour of the acceptance of the prayer.

The Holy Prophet (Allah's grace and peace be upon him) has said one who blames and charges of moral indecency and profligacy and these accusations are not in the man concerned then all these charges and their consequences will recoil upon the accuser.

He also said, If two men abuse one another, then consequences and requitals of all the abuses exchanged in between then will lie upon the person who started abusing first so long the offended person does not exceed the limit of abuses hurled against him. He further said, "Says Almighty Allah the son of Adam (man) causes Me injury he abuses the Time (Dahr or Zamana). I am The Dahr All affairs are in MY HAND, I cause alternation in Day and Night". In other words ill of Time and abusing it. amounts to criticism Almighty Allah and all that happens and occurs in the world is at the command of Almighty Allah.

He said. When a man says all men have perished then the man who suffers most is the men himself so says so. The man who regards all others as deserving of it, as he is himself the greatest sinner.

He also said, The worst of all men you will find on the Day of Judgement is the amn who is TWO FACES, (indulging in duplicity) a hypocrite, changing stand and stance every now and the or saying opposite things at one and at the some time.

Hazrat Huzaifa says he heard the Holy Prophet (Allah's grace and peace be upon him) say the backbiter shall not be admitted in the Paradise.

The Holy Prophet (Allah's grace and peace be upon him) has siad, The virtuous servants of Allah are those who very sight (appearance) reminds of Allah the Almighty, and the evil doers of His servants are those who indulge in back biting, cause separation among friends and implicate innocent people in crimes which they have not committed.

He said (speaking to companions) Do you know what is back biting? (after a pause he said) Back biting is (the evil) that you say in his absence about a brother of yours if who he takes ill when it comes to his knowledge. Some one asked suppose the evil is present in the man. He said This is what is meant by back biting (telling things in absent) and if you speak of a thing which is not present in him, then it is (bohtan) false accusation or false imputation.

Ummul Momineen Hazrat Ayesha (May Allah be pleased with her) says, it is enough for Ummul Momineen Hazrat Safiah (May Allah be pleased with her) that she is so and so (the idea was that she short statured!) there upon the Holy Prophet (Allah's grace and peace be upon him) said to Hazrat Ayesha 'You have siad such a thing that if it is dropped into an ocean, it (the said word) will dominate over (engulf) the ocean. To utter about the natural thing 9in absence) which is not liked by the other person is what the Quarn says as Bohtan (insinuated utterance), when there is no occasion to do so.

The Holy Prophet (Allah's grace and peace be upon him) has siad. Ghibat (false accusation) is worse than adultery (fornication). The companions asked why it is so . He who commits adultery later seek and receives forgiveness from Allah, but there is no forgiveness for Ghibat (False accusation) unless the person concerned also forgives the accuser.

He has also said, If a man secures food by insinuating against his Muslim brother, Allah will force that much amount from the Hell. The some things as said about the clothing received for ghibat in the world and the clothing forced on the accuser on the Day of Judgment.

The Holy Prophet (Allah's grace and peace be upon him) has severely reprimanded and warned the accusation mongers in these shocking words O You people who profess Eimaan Islam by tongue and Eiman has not entered you, hearts do not indulge in false accusation (Ghibat) of Muslims and don't try into their private personal affairs of (innocent) Muslim, Allah will also their private affairs pried onto and whosoever affairs are thus pried into by Allah. He inflict utter disgrace on him, even if he (hiding) in his own home.

He has also said In the Night of Ascension I passed by the people whose nails sure of copper with which they scratched their mouths and chests. On enquiry, Angel Jibrail said, these are the people who ate the human flesh and used to dishonour them.

The Holy Prophet (Allah's grace and peace be upon him) has said that, at places where the honour of Muslim is antraged and polluted. If any one did not help the Muslim victim but continued watching the incident and failed to check this disgrace, then Allah also will not help him at the place where he would desire to be helped. And the man who helps the muslim brother at the pace where he is being dishonoured Allah will help him at the place of his choice when he needs Divine.

He said, A Momin is the mirror of another Momin and the Momin is the brother of another Momin, he should try to save the things of his brother (Momin) form being destroyed and render him help in his absence. He said, If a man sees a thing which should ordinarily he kept hidden and he hides it, it is as if he brought a dead man to life.

He said, If a man kills a man on account of the crime or misdeed for which he has already sought forgiveness from Allah, then the killer would himself die after being involved in that very misdeed or crime.

He further said, Do not express joy over the calamity or misfortune of another man. Otherwise Allah will show mercy on him and involve you in that calamity.

PROBLEM:- Ghibat (back biting) means to speak certain weakness of a man with intentions to malign him which he does not like to he told. And if the weakness or defect is not found in the man, then it Bohtan (false accusation). The Holy Quran says

(Let none back bite the other. Will you like to eat the flesh of your dead brother? (No) you would fell contemptuous.)

The habit of backbiting has also been condemned in many Ahadees of the Holy Prophet (Allah's grace and peace be upon him) which we have mentioned earlier.

PROBLEM:- A Musalman is seen offering prayer and keeping fasts regular, but at his hands and tongue other Muslim brothers are in trouble. To disclose and mention these troublesome feature to others will not be taken as Ghibat (back biting) as the intention behind this disclosure is warn others brother to beware of this troublesome trails of that so called religious man. There is a saying in the Hadees, do you fear a wicked man? Speak out the harmful activities of such a man, so that people may protect themselves from his mischief.

PROBLEM:- If the case of the aforesaid men is brought to the notice of the state authorities for taking necessary action against him it is justified and it will not be taken as back biting (Ghibat). On the contrary, it is necessary to check the mischievous activities of such a wicked man, so that people may be spared of their aftermath and the peace and tranquility of the state may also not be disturbed. Any advice if so called tolerance, by pseudo reformers or religionists must no be heeded.

PROBLEM:- Jurist Abul Lias has said 'Ghibat (back biting) is of four kinds,

(1) Kufr (denial of Allah and Islam). Suppose a man is openly committing ghibat and when he is asked to desist from this, he insists that he is doing the right thing. In other word he is showing a haram thing as halal which is Kufr.

(2) Hypocrisy. The man is criticizing and doing ghibat in front of the amn whom he knows but does not name him, thus showing himself a virtuous man. This is Ghibat of Nifaq (hypocrisy).

(3) Sinful act when Ghibat is committed deliberately knowing that Ghibat is haram and yet he does not desists.

(4) Mubah permissible with good intentions of telling irreligious and misleading affairs of some precaution in the name of religion and reform. Though it is ghibat a sense, but with good and beneficial purposes it is permissible (Mubah) when no personal interest is involved.

PROBLEM:- Telling people about the open and deliberate misdeeds of a man is not Ghibat, but telling things of the same man which are not known is ghibat. There is a Hadees saying, One who removes the veil of shame from his face, to speak about him in his absence is NOT GHIBAT.

PROBLEM:- On seeking opinion about a man the latter weakness must not remain untold. It may be injurious to the opinion seeker. According to a hadees, the man from whom opinion is sought is Ameen (trust holder). His not disclosing the weakness of the concerned amn is 'MISTRUST' (Khyanat).

PROBLEM:- Like committing Ghibat by tongue, it may also committed through gestures by movements of head, hands, eyes and eye brows, other physical action indicating some else weakness or defects (especially natural one). In short Ghibat in any shape or form is ghibat. It is reported that once Hazrat Ayesha (May Allah be pleased with her) indicated by gestures about a woman who had just left, that she is short statured (not agreeably tall as a woman). The Holy Prophet (Allah's grace and peace be upon him) warned her that she committed Ghibat.

PROBLEM:- Imitating some one movements of naturals or physical defects is a ghibat of a more sinister quality than telling by tongue.

PROBLEM:- Like the ghibat of a living man the ghibat of a deceased Muslim when the defects are not of a nature, the description of which is not ghibat. Likewise the ghibat of a Zimmi Kafir (under protection of Islamic state) is also not permissible because he enjoys the same rights as a muslim. However telling the evils / misdeeds of a kafir in war (Harbi) is not ghibat.

PROBLEM:- Telling evils/misdeed on the face of the amn concerned, through not ghibat in

the literal sense, it is more dangerous than that because he might he enraged to retaliate and cause more harm than otherwise he should not have caused if his weakness was told in his absence. The philosophy behind checking ghibat is to prevent harm to the muslims of the society, but telling defects on the face would almost certainly prove injurious because in the event of ghibat the news of his misdeed might or might not have reached him. This is surely an act of greater haram than in case of ghibat.

PROBLEM:- The defects which are generally narrated by way of ghibat are of various natures. Physically defects or deformities, for example, blindness, being one-eyed, lame, crippled, flat nosed etc.

So called or assumed drawbacks of profession, race, family lineage etc. this is very common in the sub-continent where high brow society people call names to the professions or avocations of people belonging to lower strata. A part form these established grounds of ghibats in our society there are various avenues of strictures, satire, taunts etc. relating to habits of walking and talking, dresses and other smaller but more common modes of behaviour a appearance. These are all forms of ghibats, these are more tragic because the poor ordinary men and woman. Listening to ghibat is as sinful as it is telling ghibat. According to a hadees, any one who protect the honour of another coming form ghibat, it is due to the Mercy and grace of Allah to protect him from the Fire of He'll.

PROBLEM:- The man against who some one commits ghibat should be approached to seek his pardon by the man committing ghibat, if the former comes to know about the misconduct of the latter. That way alone he can be exonerated. If the victim of ghibat remains unaware, the man committing ghibat should at least express regret and repentance, that would be enough.

PROBLEM:- Seeking personal pardon also demand that this time of good qualities of the offended person should also narrated on his face to assuage his feeling and neutralize the harm done to him. If still the man is not satisfied, then the man seeking pardon will be exonerated of his moral guild and there shall be no accountability for the some of the Day of Judgement.

PROBLEM:- According to Imam Ghizali if the victim of ghibat dies or disappears and there remains no chance of seeking pardon, then in order to reduce and offset the seriousness of his misconduct (ghibat) he should devote more time in doing deeds of goodness, remembrance of Allah and other acts of charity and benevolence so that his redeeming acts out weigh his misdeed on the Day of Judgement.

PROBLEM:- Praising some one on his face simply to please him or securing his own admiration is forbidden. Similarly praising a person in absention with intentions that when this praise would reach him he will be please is also equally forbidden. Exaggeration in praise is also not *allowed.

Enmity and Jealously

It is said in the Holy Quran,

(And do not desire in things in which Allah has given dignity (blessing) among you over others. For the Men Folk is what they earn and for the women is what they earn. Solicit blessing from Allah. Surely Allah is aware of all the things,. It is also in the Holy Quran I seek refuge from the evil of the Jealous when he is (bentyupon) doing **jealousy.

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*: Hazrat Miqdad (companion) says, The Holy Prophet (Allah's grace and peace be upon him) has said that when you find some one exaggerating in praise for some one else, fill his mouth with dust. When he hard some one praising in excess, he said the man has broken the back of his friend. On other occasion when a man praised his friend (more than due) he said you have cut the throat of your brother, he repeated this three times to stress the point. When some one finds it necessary to praise some one he should not say as if with conviction. He should qualify his praise with expressions such as In my opinion, I thing so and so etc. The truth is known to Allh. The man should never claim conviction and fulness of knowledge.

**: The Holy Prophet (Allah's grace and peace be upon him) has said Jealousy eats own (destroys) good things as the jungle fire eats away trees , branches, etc. And sadaqah eliminates vices as water puts off fire. He also said, Jealousy spoils Eimaan as ALOES spoils the honey. Further on jealously spoils back biting and saying are as away form me as I am from them. Muslim brother

EVIL OF TYRANNY

The Holy Prophet (Allah's grace and peace be upon him) has said, "any one who owes money to some one, he must get it cleared (paid off) before the advent of the Day (of Judgement) when there shall be worldly riches to settle the account, but the good deeds in his account to pay off the debt (of the world) which (the deeds) shall be given to the other man. If there is no deed or his deed fall short the evil deed of other man shall be dumped in his balance (to make his own evil deeds heavier and lighter of the other man). He once asked his companion, do you know who is poor. They said they regard the amn as poor who has no money in his possession. He said, In my Ummah the poor is one who comes with plenty of good deeds by way of prayers, fasting etc. but he had also abused some once usurped money and shed blood in the world. In order to settle his accounts his good deeds shall be transferred to those who right be he usurped. IF his good deed fall short the evil deeds of the affected person shall be thrust in his balance and he will be condemned to remain in hell for ever.

He has also siad, Any one who endeavours to seek Pleasure of Allah at the cost of displeasure of the people, Allah will suffice him from the evils of people. But if any one who tires to please people at the cost of the displeasure of Allah, Allah will entrust him with the people who will deal with him as they like (Allah's protection and safeguard will not be available to him) He also siad, The most wretched man on the Day of Judgment shall be one for the sake of worldly betterments of others, spoiled his own fortunes for the Day of the Judgment.

He has further said, Protect your self from the curse and imprecation of an oppressed amn because when he will demand his rights, Allah does not deny any rightful man of his rights (even in the world).

ANGER AND PRIDE

The Holy Prophet (Allah's grace and peace be upon him) has said, Anger spoils the Eiman as ELWA (ALOES) spoils the honey. He also said, he who protect (safeguard) his tongue (from evil) Allah will cover his blemishes, and one who checks his anger, Allah will withhold His Punishment and one who seeks pardon (forgiveness) from Allah, He will grant him pardon! He has further said, Anger comes from satan and satan was created from fire, there fore when one is overtaken by anger, he should make

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Continue**: should keep themselves away form mutual jealousy, enmity and back biting. He has said "Allah on the night of 15th of shaban send down special splendour on his chosen servants. Those who seek forgiveness them. those who seek Mercy He grants them Mercy but He leaves those alone who bear enmity against one another." He also said "Twice in the week Monday and Thursday the deeds record of the people are presented before Allah. He forgives all except those who bear enmity against one other. He will not forgive them unless they mend their ways.

ablution (with water) as water puts off the fire. He has also said, When a man becomes, he should sit down, if he is standing. If the anger does not subside, he must he down flat on the ground.

The Holy Prophet (Allah's grace and peace be upon him) speaking about the proud and the haughty people, the fact of these people will be that they will squeezed in the frames of ants but their faces will those man, there shall be all round curses on them, they will be dragged to the prison house of the hell, there shall be fire of the hell on them and they shall be made to drink the squeezed liquid of the hell dwellers. The final abode of the proud people is in the hell, according to the Holy Quran. He also said, "May I tell you about the people of the paradise? they are the people whom the unknowing and uninformed people of the world regard them as weak and resource less but they so near in the Presence of Allah that if they swear in the Name of Allah, Allah will grant them forthwith whatever they wish. He further said, "should I not in something of hell dwellers, they are hard cored, hard natured proud and haughty people (condemned and accursed from the inception of the universe with their arch devil satan). He also said, one who presents himself as meek and humble for the sake of Allah, Allah elevated him to great heights, thought the people of the world regard as small and of no consequence. And one how shows himself off as great and honourable before the people, Allah degrades and lowers him in status and he is looked down upon and disgraced in the eyes of those very people. The Holy Prophet (Allah's grace and peace be upon him) has said that there are three things which procure Deliverance and there are things which lead to destruction. The things which promise deliverance are (10 Adopt Taqwa (fear of Allah) openly and secretly for the sake of Allah (2) Speak the truth in moments of joy and grief and (3) Adopt moderation in the days of affluence as well as in days of adversity. And the these things which lead to destructions are (1) Follow and pursue the evil desires and the path of evils (2) Slavery (object surrender) to stinginess and avarice.

SEVERANCE AND CUTTING OFF CONTACTS

The Holy Prophet (Allah's grace and peace be upon him) has said, "It is permissible (advisable) for a man to abandon his brother for more than three days at a stretch, and better of the two is he who offer salam (greetings) first. The amn seeking reunion should offer salam three times. If still the other amn does not respond, the blame for it should be diverted to uncompromising companion. He also said, if a man abandons his brother (in faith) for over a year, it is as if he has killed him. If a man severs connection with his muslim for more than days and dies without re union, he will be hurled in the hell.

ETIQUETTES OF TREATMENT

The following verses of the Holy Quran illustrate the fundamental etiquettes of treatments and behaviour in respect of adherence to worship of Almighty Allah, obedience to Holy Prophet (Allah's grace and peace be upon him) respect and service of parents, elders and other fellow beings in Islam and the society.

Those who break Allah's convent after it is ratified and those who break what has ordered to be joined and do mischief on earth. These cause losses to themselves. (Baqarah II:verse 27)

And Your Lord has decreed that you worship none but Him and that you be kind to parents. Whether one or both of them attain in your life, say not to them a word of contempt and act of kindness lower to them the wing of humility and say My Lord bestow on them Your Mercy even as they cherished me in childhoods.
(Bani Israel:verse 23-24)

The grand father of Bahaz bin Hakeem say, I asked the Holy Prophet (Allah's grace and peace be upon him) O Prophet of Allah! with whom should I render service of humility and sympathy. He replied, With your mother. (the question was asked three times nad thrice the same answer was given> On the fourth occasion the answer was 'With your father, then with those who are near to him and those near to them.

The Holy Prophet (Allah's grace and peace be upon him) has said, " The one rendering obligation after his father or in his absence with his friend. Hazrat Asma bin Abu Bak'r Siddique (May Allah be pleased with him) says 'During the days when there was a path between the Holy Prophet (Allah's grace and peace be upon him) adn the Quraish, my mother who was non-believer, came to me. I asked the Holy Prophet (Allah's grace and peace be upon him) what treatment should I render to her who is not in the fold of Islam? He replied, Treat her with kindness (and reverence due to a mother). This shows that even with non-believing parents, treatment should be according to their status as parents. He has siad, One of the major sins is to abuse one's parents. The companions were surprised as to how and why so some one should abuses the father of another who abuses in return the father of the abuser (This is causing abuse to one's own father!). This may be even with mother and other respectable relations. This was during the Day of Ignorance (Jahiliyah or pre-Islam).

It is shocking that now a day, the respect of the parents is on the decline not by others, but their own children.

He has also said, "The pleasure of Allah lies in the pleasures of the father, and the displeasure of Allah is hidden in the displeasure of the father."

One man came to the companion Abul Durda and said that his mother is commanding him to divorce his wife and he did not know what to do. Hazrat Abul Durda replied, I have heard the Holy Prophet (Allah's grace and peace be upon him) saying that mother is the middle door of the Paradise. Now it depends upon your pleasure to preserve and safeguard that door or destroy it".

He has further said, " Parents are the paradise and hell for the children, if they are kept pleased the reward is paradise and if they are displeased and teased the punishment of hell shall be their lot". Further more he had said, " One who begins his day on rising in the morning in a state that he had obeyed his parents the doors of Paradise is opened for him. And one who begins his morning in such a condition that he had disobeyed his parents, the doors of hell are opened for him since morning (which means in the hell throughout the day) and if there only one of the parents, then only one door of hell is opened since morning." A companion asked if the parents tyrannize him that is, if they behave like tyrants, He said, even though they tyrannize, even though they tyrannize, even though they tyrannize (three times).

The Holy Prophet (Allah's grace and peace be upon him) has said, " When the children look at their parents with love and tenderness, Almighty Allah for every look of theirs grants the reward of one Hajj-e-Mabrur." People asked him, even if they look at 100 times a day? He said, "Allah is Great and Generous, He has Power over everything. He is free from limitations which may restrict His Benevolence and Blessing. One companion come to the Holy Prophet (Allah's grace and peace be upon him) and said that he desired to go on Jihad (crusade) and fighten in the way of Allah, He asked him if his mother was alive. The companion replied she was there (alive). The Holy Prophet (Allah's grace and peace be upon him) commanded him to go and serve (obediently and zealously) his mother. This paradise lies near the feet of the mother.

He has said that, mannan (who renders an act of kindness) who puts and displays, obligation of his deed on others the one who disobeys his parents and the habitual drunkard will not be admitted in the paradise (i.e. their abode is hell!).

He advised another companion who wanted to know how he could serve his parents who are no more alive, he told him he should pray to Allah for their forgiveness, fulfill the promises (contracts etc) his parents had with others, tread kindly those relations who were treated likewise by his parents, give due honour and respect to their friend etc.He said the treatment of elder brother to his younger brother is like the father to his son.

As for the maintenance of mutual relations the Divine Dispensation is that who joined and keep it intact Allah also keep him (safe and)intact, and one who severs it. Allah also shatters and keep him disjointed.

He also said "One who desires munificence in his livelihood and prolong his age, he should behave kindly and affectionately with his kins. There is also the mention of protection against a wretched death and the Prophet advise for constancy in praying for forgiveness from Almighty Allah.

He also said, The best modes of moral conducts are, `Try to keep contact with him who dissociates with you', `Forgive him who oppresses you', `One who desires that his age may prolong and there be increase in his livelihood he should behave affectionately with his kith and kin. (Sila-e-Rahmi).

PROBLEM:- `Sila-e-Rahmi', stands for joined adn (steadfastly) maintaining the blood relations, by kind and affectionate treatment. There is consensus in the Ummah that Sila-e-Rahmi (maintaining blood relation by good and benevolent treatment) is wajib and Qata-e-Rami (cutting off, severance of blood relations by bad or oppressive treatment) is Haram.

There are different grades among the relations who come within the purview of Sila-e-Rahmi (also called Zawil Qurba, having close relationship) and the treatment towards them varies according to their status. The status of the parents among worldly relations, is supreme most, after them the blood relation and after them, all other family relations (as distinct from formal and spoken relations).

PROBLEM:- There are many ways to treat and affectionately deal with the blood relations, namely (10 give them gifts and presents (2) to help and accomplish their work and necessity in which your help is sought (3) to wish them well adn often visit them at home, sit and converse with on matters of mutual interest and welfare, and behave with them in kind and pleasant manner.

PROBLEM:- If this relation is staying in another locality country to maintain correspondence contact with him and enquire about his progress and personal well being etc. This and other friends modes of treatment will ever keep the relationship fresh and progressive.

PROBLEM:- If the man himself is staying in a foreign country and his parent call him home he should fulfill there wish by personally coming down to them cool their eyes and warm up their affectionate treatment.

After the father the next relations deserving benevolent treatment are the grand father and the elder brother. Elder brother is a kin to father, elder sister and khala (mother's sister) one next to mothers place. Some scholars regard uncle next to father.

PROBLEM:- The relationship and mutual understanding must be kept alive by frequent to and for visit or by maintaining correspondence among them. Exchange of gifts and presents will also strengthen the bonds of relationship.

PROBLEM:- It is reported in the hadees sharif that through sila-e-rahmi (maintaining the ties of relationship by all possible means) the age span expands which means longivity, and there is abundance in livelihood. Some scholars are of the opinion that by longivity is not meant the span of life beyond the destined person of life (which is not subject to change in life years in the world but they opine that after death the reward of good deeds increase which in other words means that the man is still alive and progressing (spiritually and non-sensationally of course!) or it means that after death his mention among the ahl-e-khair (people of good deeds, maintained).

AFFECTION ON OFFSPRING AND MERCY TOWARDS ORPHANS

The Holy Prophet (Allah's grace and peace be upon him) has said, "One who makes an orphan on equal partner in his sinner, Allah will make the Paradise as an essential (wajib) reward for him, except when he has not committed a major sin for which there is no forgiveness." And any one takes three girls or three sister under his patronage, gives them good education and treat them affectionately, till they become self earning and no longer need the patronage of their guardian, then ALLAH will make Paradise wajib, (an essential reward) for him. In that meeting he confirmed that Allah will bestow the some reward for a man who patronizes two girls/sisters. If the Holy Prophet (Allah's grace and peace be upon

him) was asked about one girl, he would have given the same reply.

He said, The man whose two dignified organs (Kareematain) have been taken away by the Providence, for him Paradise is wajib (a must reward). Explaining Kareematain (two dignified organs) he said "Two Eyes".

The Holy Prophet (Allah's grace and peace be upon him) once asked his companions should I not tell you what the most blissful sadaqah is? (He said) The sadaqah (charitable deed) which he offers for that daughter of his who has come back to him, meaning thereby that either her husband is dead, or he has been divorced and as such has come back to her father there is no one else to support and look after her.

He said, `None should bury his daughter alive, nor insult and disgrace her nor give preference to his male children over her Allah will grant him Paradise.' He also said, ` Any one how teaches one aspect of good manner, it is better than one sa'a of sadaqah.' He also said, "there is no other gift, for a father to give to his children more valuable and precious than to teach manners to his children. Some more Ahadees in this respect are summarized below,

"Give respect and honour to your children and teach them excellent moral behaviours."

"Distribute equally between your children. If I were to give preference I would give it to girls (daughter)."

"Observe justice (and fair play) in whatever you give to your children if you expect that they should also be fair and just in rendering service and kindness to you."

"Allah likes that you observe justice in your treatment towards your children even while kissing them (out of fondness and afection)."

"One who supports an orphan (of his family or others) he and I will be in the Paradise so close as the two joining fingers are."

" One who passes his hand over the head of an orphan for the pleasure of Allah, Allah will give him for each hair that comes below his hand. And one who does any deed of benevolence out of affection with any orphan boy or orphan girl, I and he will be in the Paradise so close as the two adjoining fingers of a hand. Whenever he passes his hand over the head of an orphan boy the movement of his hand should be from backward to forward (neck to forehead) while doing so for his own son (or any boy of the family or else's), other than orphan, the movement of the hand towards the neck (forehead to neck).

RIGHTS OF NEIGHBOURS

The Holy Quran says,

(" Ser ALLAH and join not any partners with Him, And do good to parents, kinsfolk, orphans, those in need neighbours who are near neighbours who are strangers, the companion by your side, the way fares and what your hand possess, for Allah loves not the arrogant the vainglorious.")

The Holy Prophet (Allah's grace and peace be upon him) has said "BY Allah! he is not Momin, which the companions requested him to say who that person was", he replied, "the

man from whose repressive treatments his neighbours are not safe."

He said, "the man will not enter the Paradise at whose hands are not in peace."

He said, "The man who believes in Allah and the Last Day (Day of Judgment), should treat his neighbours with dignity and honour."

Hazrat Abdullah bin Mas'ood has reported that Once a man come and asked the Holy Prophet (Allah's grace and peace be upon him) how can he know whether the deed done by him was it good or otherwise? The Holy Prophet (Allah's grace and peace be upon him) replied, `When you hear your neighbours that you ahve done good, the deed is good. Similarly, when you hear your neighbours saying you have done wrong (bad) it is so.'

He has said, "Momin is not that man who eats full stomach while his neighbour nearby lies hungry."

He has said, "Whenever some one cooks (tasty) thing, he should increase the broth whereby he can serve his neighbour."

"A woman who is very excessively performing religious dues of prayers (salat), fasting etc, but due to her sharp and abusive tongue her neighbours are not in peace", The Holy Prophet (Allah's grace and peace be upon him) said about that woman `she is in hell' (she is destined to go to hell). Likewise about a woman who was said to be less devoted to religious acts but she behaved with her neighbours kindly and co-operatively, the Holy Prophet (Allah's grace and peace be upon him) said, "she is in Paradise." (i.e. her destination on the Day of Judgement Paradise and Allah's Pleasure).

He has said, "Allah has distributed good moral conduct among you as He has distributed the means of sustenance, He bestows the word to one who is dear to Him as also to him whom He does not admire. But the Deen (The straight Path) of Religion only to the person who is beloved in His Presence. Therefore the amn who is blessed with the Blessings of Religion (Deen) is also Dear to Allah as His chosen servant. I swear in the Name of One in Whose Hand is my sour, a man can not he a (true) Musalman unless his heart and tongue are also not Musalman, (testify the Eimaan and Islam by his thoughts and utterances.) and so long as his neighbours are not in piece at his hands."

He has said, "For a Muslim it is a matter of worldly blessing if he has a pious and virtuous neighbour, spacious house to live and comfortable means of transport. And do you know what are the rights of your neighbour towards you. There are, "You should help him when he asks you,

Lend him money when he request you.

You should attend to him when he become ill.

Congratulate him when something lucky and pleasing come to him.

Console and pacify him when he is in distress.

Attend to his funeral when he dies.

Do not raise your walls higher than his without his consent.

Give him no trouble, rather give him something lasty from your cooked stuff.

When you buy fruits present him something from it or else bring them in your home without his knowledge.

Continuing stress of the rights due to the neighbours, the Holy Prophet (Allah's grace and peace be upon him) said, In the name of One in whose hand is my soul, there are very few people who are aware of the right of the neighbours and fulfill their. These are the people whom Allah has blessed. The Holy Prophet (Allah's grace and peace be upon him) stressed the rights of the neighbour so much that the people thought the Holy Prophet (Allah's grace and peace be upon him) would make them the sharers in the inheritance of their property. Then he said, "Neighbours are of three kinds, some have two rights towards their people and some have only one right. The neighbour who is Muslim and is also a relation, he has three rights (1) The right of Relationship. The Muslim neighbour has two rights namely (1) the right of neighborhood. The companions asked the Holy Prophet (Allah's grace and peace be upon him) if they should offer them any thing from their sacrifices, he replied that `nothing need he given to him'.

PROBLEM:- If by going up the roof and terrace if the privacy of the neighbour is violated, then either the walls of one's house should be raised so that there may not be any complaint in this behalf , alternatively going up the terrace may be discarded for the sake of the neighbours convenience.

KINDNESS TOWARDS THE PEOPLE

It is said in the Holy Quran,

(Help and co-operate with one another in matters of goodness and righteousness and do not help any in matters of evil and transgression.)

The Holy Prophet (Allah's grace and peace be upon him) also said, Allah does not show Mercy to those who show no sympathy and kindness towards the people.

Summary of more Ahadees in this connection is given below,

The Holy Prophet (Allah's grace and peace be upon him) has said, That man is not in our fold how is not kindly disposed towards the youngster and does not show respect and reverence to the elders does not inspire for doing good and avoiding the evil. It is reported through Hazrat Anas, if the young man accords respect to an elderly man in consideration of his age then Allah will depute men to show honour to that young man when he reaches that advance age.

The Holy Prophet (Allah's grace and peace be upon him) has said, When (a kind hearted man) of my Ummah fulfills the necessities of a Muslim brother with intentions to please him, he pleases me. And one who pleases me, he pleases Allah Who will admit him in the Paradise.

He said, Any one who does justice to an oppressed men Allah will reward him with seventy three forgiveness, only one which shall be enough to fulfill all his ambitious and the remaining seventy two forgiveness will cause enhancement of his on the Day of Judgment to that extent.

He said, All Momins are like a unified one person, If an eye pains him, the entire body suffers and feels the pain, Similarly the ailment in the head (or any other part) becomes the ailment of the whole body.

He said, A Momin is like another Momins edifice, one part of it strengthens and solidifies the edifice of the other. The he joined two fingers of his hand to show how two fingers when joined together become source of strength, moralizing thereby that Muslims should remain united providing strength to one another.

He said, A Momin is another Momins brother. He should neither oppress him nor leave him at the mercy of others and one who engages himself to fulfill necessities of another man Allah engages Himself to solve that man problems and difficulties.

He said, Any one who removes one pain from the pains of other man, Allah on the Day of Judgment, will remove one calamity from the calamities of that Day. And one who covers and hides the evil of his Muslim brother, Allah will cover his blemishes on the Day of Judgment.

He said, A Momin is not a Momin unless he likes (and provides) for his brother what he likes for himself.

He said, Give treatment to other according to their status and dignity. It is hard to have a single grade of treatment for all and sundry. However cares should be taken that in treating people differently, no insult and humility should be caused to nay one.

He said, All the creatures (People at large) are like the member of Divine Family and the dearest among them is he who renders self service to others (of the members).

He said, Where you be fear Allah all the time. It an evil deed is committed, offset it by doing an act of goodness. The good deed will effect and eliminate the effects of the evil deed.

PRETENCE AND EXPECTING FALSE PRAISE

The exact words mentioned as sub-head line of this subject are "RIYA" which stands for Hypocrisy, preference or out word display of some permissible deed or deeds to establish some pretended sincerity and honesty while the real facts are just the opposite.

The others word of the caption is "SUMAH" derived from the Arabic root word sumah (to hear). here the intentions is that people may hear about of the deed without seeing and knowing personally and praise the does of the good deed. The purpose in this case is the hypocritical ambition of listening praise from the people who are unaware of the real facts, in that the doer is hungry of self praise.

Both these traits are symptoms of hypocrisy, as the deed done are not honestly intented nor sincerely performed. Obviously these deeds of goodness in themselves do not fetch the promised reward, on the contrary the become source of punishment from Allah.

It is said in the Holy Quran,

(O believers! do not falsify (render useless) your deeds of charity through expecting praise and causing trouble, like the man who spend his money just to show to the people.) It is further said,

(One who hopes to meet his Lord sustainer (Allah), he should perform deeds of Goodness and not associate any one in the worship of his One Allah, the Lord Sustainer. (The learned scholars are of the opinion that this verse is by way of forbidding hypocrisy - Riya).

At another place it is said in the Holy Quran castigating those who are neglectful of their prayer and when they offer prayer (salat) it is to show to the people.

Curse on those offerers of salat who are negligent (sloth) in their prayer and which they offer to show to the people and who refuse to lent for the time being even small things of daily use. It is also said.

The Holy Prophet (Allah's grace and peace be upon him) has said that Allah does not look at your faces your wealth, He looks towards your heart and your deeds.

He also said, One who does a good thing so that people hear about it, Allah will make (his punishment) to be heard adn one who does a good thing as a pretense, he will suffer too his pretense (in which case good deeds become unrewarding).

He further said, Even a minute part of hypocrisy is Shirk (denying Tauheed). Among the servants of Allah the most beloved ones are those who hide themselves from the general people such that if they intend to be unidentified, people can not recognize them, and if they give evidence (in the open) they still remain unrecognized. They are the leaders (Imams) of the guidance (Hidayat) and Bright Lamps of knowledge.

He was once heard saying, One who offers with "riya" (to show to the people and not with devotion), he commits shirk (unbelief and associating some else with Allah), And one who keeps fast with "riya" he (too) is guilty of shirk, And one who offers sadaqah with `riya'j he also commits shirk.

The Holy Prophet (Allah's grace and peace be upon him) has said, I apprehend my Ummah clandestine shirk and lust. When companion asked him if people commit shirk after him, he said `yes' but they will not worship, the sun, the moon, the stone-god and idols, but they will commit hypocrisy in their deeds the hidden lust or passion means that in the morning the man will keep the fast but under some (impulsive) desire, he will break the fast (before schedule).

He said, On the Day of Judgment, the first man whose case shall be decided the `shaheed' (martyr). He will be presented before Almighty Allah Who will ask him about His Bounties, which he will admit. He will be asked, how he repaid the bounties the man will say that he fought in His (Allah) Way and was martyred Allah will chastise him and say, You are liar, you fought so that people may call you brave, which they did. (indicating that what he desired, he got!). The man will then be asked to be dragged on his face and thrust in the hell. Then another man will be called for accountability this man had learnt and taught the Holy Quran. He will be asked about the bounties of the Providence which he will name as having been benefited by them. He will be asked as to how he repaid these Divine Bounties. He will say that he secured knowledge, learnt and taught the Holy Quran for His Pleasure. He will be condemned as a liar because he secured knowledge and taught Quran so that the people may praise him, praise him, which he was acclaimed and thus got what he wanted. He will be dragged to the hell like the Shaheed before.

Thereafter the third man who was blessed with plenty of riches and luxuries of every description. He will be asked how he repaid the Bounties of Allah. He will also claim that he

spent his wealth to the cause of Allah. He will declared as a liar or because he spent his money on luxuries and whatever he gave to the poor and the needy, it was merely an act of pretense. Like the earlier men he will be dragged to the hell as a punishment for his hypocrisy.

The Holy Prophet (Allah's grace and peace be upon him) has said, One whose desires (and deeds) are directed for the deliverance and success in the Hereafter, Allah will bless him with the quality of self-sufficiency (self-sufficiency or Istighna), fulfill all his desires and the world will come unto him in an object slavish manner (begging his favour). And the man who sole ambition is to indulge in the world and its affairs, poverty adn paincity will become his fortune, his ambitions and affairs shall be shattered (far from being fulfilled!). He will get (not according to his desires) but whatever he is destined to get. Hazrat Abu Hurairah once went to the Holy Prophet (Allah's grace and peace be upon him) and reported that one day he was offering prayer inside his house when a man suddenly appeared before and saw Hazrat Abu Hurairah in this condition. He felt pleasure that he was seen in this condition. He asked the Holy Prophet (Allah's grace and peace be upon him) if it was not riya (pretense). He informed Abu Hurairah that he was twice blessed, for offering prayer secretly as well as openly. Engagement in prayer is exclusively for Almighty Allah and should be offered will all sincerity for this exclusive aim. If on being seen by the people (unintentionally) creates a feeling of delight, it is as a natural impulse which has nothing to do with riya (pretense or hypocrisy).

It can be said that the reward (or punishment) for any good deed depends up on the sincerity and honesty of he intention or Niyat. Anything of self pleasure through praise by the people or gaining popularity which cause self-elation all there amount to Riya (pretense) or sunn'ah (bearing of own's praise and the pleasure by) and their requital in the Hereafter is hell, as we have in the aforesaid Hadees in which the fated of self-styled martyr, the religious scholar and the man of resources all of whom pretended to perform deed of virtues through means at their disposal and were ultimately dragged to hell, there eternal abode.

PROBLEM:- It is better to perform deed of goodness in such a way that there should not be any trace of self-praise or self-elation. And if one asks about it, the answer should be plainly affirmative without mincing words. If an attempt is made to hide the fact in a way that the secret comes out, then it amounts to riya or pretense.

There are states of Riya (pretense) (1) Some time the pretender does this mischief with the real modes of worship. For example, He offers namaz, when he is sure that people are looking at him. If no man is not there to look at him, even when the time of prayers is running, he will not offer namaz, this is the kind perfect Riya (Hypocrisy) and there is no reward for such a worship.

The second state of Riya is that there is no riya in the mode of worship itself. Whether there is any one or not to witness his worship, but the difference lies in the quality of worship which becomes evident when some one else is with or near and when there is none near about. Obviously, this is a riya of a lessor grade. Why should there be any difference in the quality of performance of good deed? The soul or essence of the deed should be criterion and not the presence or absence of men around.

PROBLEM:- IF a man is keeping fast, he should hide or waver to admit this fact when some one him about this? Some time people shy to admit when they are in the midst of non-observers of fasting who at times make fun of simple natural Momin in the modern society where religion is looked down upon as a secondary aspect of life.

PROBLEM:- People demand or receive money for reciting Holy Quran for the Eisal-e-Sawab of a deceased or some fixed occasions. This is a type of Riya. If the money is not given he does not recite the Holy Quran. Reciting Quran with a wage does no good to the reciter or the one who invites him for this purpose. In such a situation the fate of the deceased hangs in balance! He is benefited only when some person recites the Holy Quran purely for the soul of the deceased with no ulterior or monetary behind.

PROBLEM:- When a person goes on Haj carrying some goods, articles of sale. Obviously his pilgrimage to the Holy Land has twin purposes (1) performing Haj and (2) sale of goods to earn benefits which is permissible under Shariat Laws. He motives and preference between the two purpose will decide which reward is his lot. If the basic intentions is (and it should be so) to perform Haj with single minded devotion so that it may be rewarded in the Presence of Allah, and do the business if any time is available during free times during Haj or better still, after the Haj. This will fetch him both the rewards of the Deen and the dunya. If, unfortunately his primary intentions is to earn profits through business and perform haj a secondary issue, then he is doomed to be cursed. The worldly benefit (profit) will not last long, but his loss in both the world will be eternal.

PROBLEM:- There is no Riya or show off pretense in the performance of Farz parts of the worship[. The Farz segment of the worship[p, performed even will Riya shall be taken as having been attended. It is however a separate issue if it is accepted or not. If there fore when the Farz is compulsorily to be performed, then why do this with sincerity and with out pretense or riya.

EISAL-E-SAWAB

PROBLEM:- Eisal-e-Sawab means to convey the blessings of the Recitation of the Holy Quran, Durud Sharif, and other recites and prayers etc to the souls of the deceased Momin men and women so that they may be blessed with Divine Grace and Mercy in the spiritual universe, where they stationed after their death. The modes of Eisal-e-Sawab may also be practical deeds carrying eternal reward. This is permissible and to call it `bidat' or something of this kind is cruel. It is also proved by the Ahadees of the Holy Prophet (Allah's grace and peace be upon him) beside some of authentic religious Books written by eminent scholars of Islam.

It is reported that when the mother of Hazrat Sa'ad died, he came to the Holy Prophet (Allah's grace and peace be upon him) and asked what sadaqah is most blissful. He replied "Water". Hazrat Sa'ad dug and constructed a well of sweet water and dedicated to his mother. This indicates that good and beneficial deeds by the living carry (eternal) blessing for the should of the deceased. This is what is known as sadaqah-e-jariya. (The deed of charity carrying eternal recurring blessing). There are many such deeds which come within the purview of sadaqah-e-jariya, for details learned scholars and relevant books may be consulted.

There are many customs and ceremonies adopted for the Eisal-e-Sawab. There are no fixed days and processes of this purpose. The fundamental point to be kept in mind that every thing done should be with honest and pure intention without any semblance of personal status. The Eisal-e-Sawab is meant and dedicated the souls of the deceased. It is there fore imperative that whatever is conveyed must be genuinely pure worth approval of Divine Grace and Mercy.

ASSEMBLIES OF DIVINE BLESSINGS

PROBLEM:- Meelad Sharif (celebration of the Birthday) of the Holy Prophet (Allah's grace and peace be upon him) is not only permissible but also it is the fountain head of spiritual and mundane blessings. To celebrate this most auspicious day of the year, meetings, assemblies, conventions, seminars adn public meetings are held in open grounds, or within the four walls of mosques and houses. In these gathering the special features of life history and Prophetic Accomplishments of the Holy Prophet (Allah's grace and peace be upon him) are mentioned with due dignity and veneration by learned scholars and religious leaders which people listen with devoted attention.
In the Majlis-e-Milad are ritual are faithfully observed and there is no room for any objection or criticism about. It is the revential Love, Affections and Devotions towards the Holy Prophet (Allah's grace and peace be upon him) that is the prime motive for holding such spiritual gathering. Distribution of street etc is also one of the features of these gathering.
In these majalis at the time when auspicious moment of the Birth of the Holy Prophet (Allah's grace and peace be upon him) is mentioned during the course of speeches etc. the entire audience stands up as a mark of respect of devoted homage to the greatest Benefactor of mankind Hazrat Muhammad Mustafa (Sallallaho Aliai Wa Sallam). This is perfectly justified rather it is source of blessing for all the participants. AT that auspicious occasions recitation of Durud-o-Salaam and praised poetical renderings are also rehearsed.
It is reported that in these auspicious assemblage some great devotees have been blessed with anguish visual presence of the Holy Prophet (Allah's grace and peace be upon him) we commoners who can not and should not claim any spiritual perfection must respectfully accept this very very rare bestowment from the heavenly kingdom upon the chosen people bellow and through them the general aspirants of Divine Blessings.
In majlis-e-Milad Sharif and other religious gathering are organized to celebrate special occasion or personalities. For example, Majlis-e-Meraj Sharif, which as its name suggests, is celebrated the most unique auspicious in the history of the universe (both heaven and the earth) when the Holy Prophet (Allah's grace and peace be upon him) went in the Journey of the heavenly universe on the Night of Ascension known as Meraj Sahrif. In those blissful assemblies the events of that Journey are narrated which inspire and invigorate the Emanic Impulses of the Momins.

PROBLEM:- Death Anniversaries of the Khulafa-e-Rashideen (May Allah be pleased with them) are also celebrated which also are permissible and must be regarded as occasions of remembrance of great achievements of these most revered personalities after the Holy Prophet (Allah's grace and peace be upon him).

PROBLEM:- Holding of 10 Days Majlises in the month of Muharram is also valid in which the events of the Karbala are narrated to remind the Ummah that without the supreme sacrifice of the people of Ahle-e-Bait the survival and eternal permance of Islam would not have been possible because the forces of evil and corruption were greatly and perilously determined to out do Islam in those turbulent days of Islamic history.

(Note: Other details relating ceremonies, rituals, recitation of Marsias and other practices which are apparently un Islamic and have authentic reliable evidence in religious Books have been deliberately omitted. These details can be seen on pages 424 - 425 of the Book Published by Muslihuddin Publications, Memon Masjid, Muslihuddin Garden, Karachi).

MISCELLANEOUS

PROBLEM:- Among all the languages prevalent at the moment. The Arabic Language is the Most Perfect and Most Dignified. It is the language of the Holy Quran. This will also be

enguage to be used among the Dwellers of Paradise. One who learned and teaches Arabic will be Divinely rewarded. It is essential for all the muslim to learn Arabic, so as to be able to comprehend Islamic Books especially the principles and details of Islamic Laws which are mostly in Arabic.

PROBLEM:- Moral stories and Fables can be studied, because they contain principles in the garb of intelligently intended fables which serve as useful guide lines for the conduct of problems of daily occurrence in the life.

OTHERS MISCELLANEOUS PROBLEMS

One who owes debts and refuses to repay then the creditor can take anything of equal value belonging to the debtor.

Speaking in a soft persuasive manner is a virtue, but it should not be mistaken as flattery.

Locust is a lawful bird, it can be killed for eating.

Bribery becomes permissible in exceptional circumstances, when there is danger to life and honour, when some immediate delicate issues depend on it, as an inducement for receiving one's own dues.

Calling father (owner) by name is makrooh. Naming him as a matter of course amounts to degration, and as a show of familiarity which breeds contempt.

To wish own death and to pray for it is makrooh, especially when it is on account of excessive hardship. However in cases of increasing immorality and deviation from path of morality and guidance and there is fear of one's involvement then death as an escape is desirable, even then it is better to pray for solidarity of Eiman to resist to evil rather that to submit the pressure and erare for death.

Plague as an epidemic is curse, but those are in the legion where plague has broken out should run away from there nor other should go there.

To call certain months and dates as bad omen is not correct. To take omen for and against in respect of anythings is not correct.

To rely on astronomy, astronomy or any occult science is forbidden.

Jan Mantar etc are mere superstitions.